OPEN SPACE TRAIL SYSTEM PLAN

Bumfagon Swamp

FOR THE

TOWN OF LOUDON, NEW HAMPSHIRE

Produced by the Loudon Conservation Commission and Trails Steering Committee and by the Central NH Regional Planning Commission
through funds from the NHDES Regional Environmental Planning Program (REPP)

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TOWN OF LOUDON, NEW HAMPSHIRE

July, 2001

Produced by:
Loudon Conservation Commission and
Trails Steering Committee
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Loudon, NH 03301

and

Central NH Regional Planning Commission
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Concord, NH 03301

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It was created through a cooperative effort of volunteers and staff of the Town of Loudon, the CNHRPC, and NH Department of Resources and Economic Development (NHDRED).

The Loudon Conservation Commission/Trails Steering Committee met on a monthly basis for five months and provided review and comment in the interim. Members of the public and of municipal boards participated in one or more meetings, with a core group of Conservation Commission members. The Steering Committee, representing a variety of interests within the Town, was comprised of many of the following individuals who participated in the planning process:

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John Vaillancourt - GPS trails
Stephanie Vaine - meetings, research, maps, word processing

The NH DRED staff previously provided review and comment on the process and of the Plan:

Bob Spoerl, Trails Bureau

The New Hampshire Municipal Association (NHMA) legal staff previously provided review and comment on some of the technical explanations in the IMPLEMENTATION MEASURES chapter:

Bernie Waugh, Chief Legal Counsel.

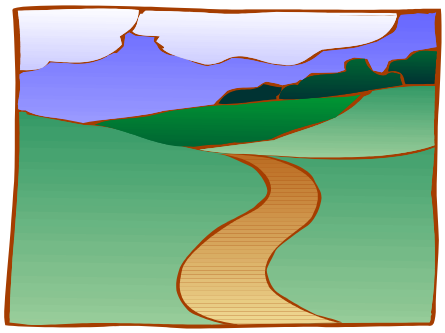


TABLE OF CONTENTS

ACKNOWLEDGEMENTS i
TABLE OF CONTENTS ii
EXECUTIVE SUMMARY v

I. INTRODUCTION 1
Importance of Open Space and Recreation 1
Loudon Master Plan Findings 3
Methodology 3
Goals of the Open Space Trail System Plan for Loudon 5

II. INVENTORY OF PUBLIC LANDS, EASEMENTS, AND RIGHTS-OF-WAY 7
Conservation Land Easements and Permanently Protected Lands 7
Public or Private Parcels for Potential Public Use 12
Rights-of-Way Parcels 14

III. INVENTORY OF EXISTING TRAILS 33
Non-Motorized Trails 33
Motorized Trails 34
Summary of Existing Trails and Rights-of-Way 41

IV. PROPOSED OPEN SPACE TRAIL SYSTEM 45
Powerline Corridor 47
Hoit Marsh WMA Land 48
Northeast Corner Conservation Easements 49
Conservation and Public Lands 50
Class VI Roads 51
Snowmobile Trails 52
Potential Trails or Trail Linkages on Private Land 53
Areas to Protect from Future Development 54
Summary of Proposed Open Space Trail System 55

V. IMPLEMENTATION MEASURES 57
Landowner Partnerships 57
Official Trails Designation 61
Trails Management 63
Open Space Management 67
Grants and Funding Programs 70

APPENDIX A: SAMPLE LEGAL DOCUMENTS 75
Sample Landowner Agreement 75
Sample Conservation Easement Deed 76
Sample Warrant Articles 90

APPENDIX B: REFERENCED NH STATUTES 93
31:95-b Misc: Appropriation of Funds…During the Year (Powers & Duties of Towns) 93
36-A:5 Appropriations Authorized (Conservation Commissions) 94
79-A:1 Declaration of Public Interest (Current Use Taxation) 95
79-A:4, II Powers and Duties of the Board; Rulemaking (Current Use Taxation) 96
79-A:25 Disposition of Revenues (Current Use Taxation) 97
79-A:25-a Land Use Change Tax Fund (Current Use Taxation) 98
80:80, V Real Estate Tax Liens (Collection of Taxes) 99
212:34 Duty of Care (Liability of Landowners) 101
215-A:1 Definitions (Off Highway Recreational Vehicles and Trails) 102
215-A:34 Posted Land (Off Highway Recreational Vehicles and Trails) 104
228:67 Disposition of Acquired or Abandoned Rail Properties (Admin of Trans Laws) 105
231-A:1 Class A and B Trails (Municipal Trails) 106
231-A:2 Reclassification of Highways (Municipal Trails) 107
231:A:4 Public Trail Use Restrictions (Municipal Trails) 108
231-A:5 Acquisition of New Trails (Municipal Trails) 109
231-A:8 Liability Limited (Municipal Trails) 110
231:93 When Municipalities not Liable (Cities, Towns, and Village District Highways) 111
260:61 Credit Provided; Liability Insurance (Administration of Motor Vehicle Laws) 112
508:14 Landowner Liability Limited (Limitation of Actions) 113
508:17 Volunteers; Nonprofit Organizations; Liability Limited (Limitation of Actions) . 114
674:2 Master Plan Purpose and Description (Local Land Use Plan'g and Reg Powers) 116
674:3 Master Plan Preparation (Local Land Use Planning and Regulatory Powers) 118
674:4 Master Plan Adoption and Amendment (Local LU Plan'g and Reg Powers) 119

APPENDIX C: VOLUNTEER RESOURCES 121
Resource References 121
Steps to Creating a Municipal Trail System 128
Volunteer Liability Form 129
Volunteer Trail Maintenance Agreement "Adopt-A-Trail" 130
Trail Maintenance Guidelines "Job Description" 131
Trail Report Form 132
Certification of Volunteerism 133

MAPS OF THE OPEN SPACE TRAIL SYSTEM PLAN 135
Base Map (Map 1)
Topographic Map (Map 2)
Public Lands, Easements, and Rights-of-Way Map (Map 3)
Existing Trail System Map (Map 4)
Proposed Open Space Trail System Map (Map 5)

EXECUTIVE SUMMARY

This document was produced by the Loudon Trails Steering Committee and the Central New Hampshire Regional Planning Commission over the course of four months of research and meetings. The purpose of creating such a Plan is to focus on what needs to be accomplished in order to protect the open space in Loudon and to create a trail system which gives residents and visitors alike the opportunity to enjoy and further appreciate the Town's open space.

This Open Space Trail System Plan, which can be adopted as an element of the Master Plan, had three goals to accomplish:

1. Inventory existing public lands, easements, rights-of-way, and trails;
2. Determine where linkages to the lands and trails should be obtained;
3. Provide recommendations on how to obtain the linkages and maintain a trail system.

By using the Town's tax maps and associated tax assessor's index, information was collected on the conservation land easements and permanently protected lands of the Town; on public or private parcels, such as those owned by utility companies, that could potentially be available for public use with landowner permission; on rights-of-way parcels such as those that encompass former railroad rights-of-way and utility line easements and those that abut Class VI roads; and finally, on the parcels which harbor existing non-motorized and motorized trails. All of the information that was collected is public information readily available at Town Hall.

Five maps accompany the Plan. The **Base Map** shows the names and classifications of all of the roads in Loudon plus its streams and ponds, while the **Topographic Map** shows 20' contour lines. The **Public Lands, Easements, and Rights-of-Way Map** shows where the Town-owned land is located as well as other "public" lands, and the **Existing Trail System Map** shows where the official and unofficial trails are located within Town. For the **Existing Trail System Map**, Global Positioning System (GPS) technology was employed to record the actual location of some of the trails. The last map, the **Proposed Open Space Trail System Map**, is the culmination of the research and recommendations of this Plan. It depicts existing and proposed trails, trail linkages, and existing conservation and public lands.

After the extensive inventorying and data collection process, a series of **General Recommendations** were made to help Loudon retain its rural character, to create a trail system, to encourage a greater sense of community, and to enlarge its undeveloped open space landscape. In addition, specific **Recommendations** were made based upon the identified opportunities within Town. The opportunities included the wide array of private trails within Town, new trails on existing conservation land, and specific areas to encourage protection from development. In order to assist the Town with meeting these Recommendations of the Plan, comprehensive sections on implementing the Recommendations have also been included.

The following is a complete listing of the Recommendations within the Plan. The circles and boxes refer to the specific trail as depicted on the **Proposed Open Space Trail System Map**; the (0) indicates an existing trail and the [Z] indicates a proposed trail or trail linkage.

General Recommendations of Open Space Trail System Plan

General Recommendation:	Establish a permanent Trails Committee, comprised of various interests within Town, in order to oversee the maintenance of any trails that the Town wants to establish and to begin initiating contact with landowners of existing and proposed trails and easements.
General Recommendation:	Adopt this Open Space Trail System Plan as a sub-element of the updated Master Plan.
General Recommendation:	Work with the area snowmobile clubs to learn how to approach landowners and to enter into a cooperative trail creation and maintenance relationship.
General Recommendation:	Educate the landowners of parcels under current use, particularly owners of those parcels without buildings on them, of the benefits of conservation easements.
General Recommendation:	Pursue appropriate Town-owned parcels as permanent Town Forests or Town Parks through Town Meeting (see APPENDIX A).
General Recommendation:	Gain public support by holding a series of public educational sessions about land protection, stewardship, what the Conservation Commission and Trails Committee do, and about this Open Space Trail System Plan. Alternatives include writing a series of news articles, writing and distributing flyers, or holding one-on-one meetings with landowners.
General Recommendation:	Pursue grant funds to help meet the Recommendations of this Plan.
General Recommendation:	Publicize the public trails within Town by publishing a brochure, creating a trail-specific map series, or by holding special events.
General Recommendation:	Amend the Land Development Regulations (for major subdivisions) to encourage developers to donate easements or land and to require construction of trails on properties near existing or proposed trail networks.
General Recommendation:	Review the Zoning Ordinance and Subdivision and Site Plan Review Regulations on how Recommendations may be implemented by the Town.
General Recommendation:	Designate any trail which the Town wants to promote as a "Town" trail as a Class A or Class B trail (see IMPLEMENTATION MEASURES).
General Recommendation:	Recommend to the Board of Selectmen that all Class VI roads should be retained by the Town as public rights-of-way and not returned to abutting landowners (see also **Recommendations of Class VI Roads**).

Recommendations for the Powerline Corridors

1 2

Recommendation: Work with PSNH and private landowners to investigate the feasibility of establishing recreational trails along the powerline corridors in the future.

Recommendations for the Hoit Marsh WMA Land

Recommendation: Work with Hoit Marsh WMA representatives to document any existing trails in the WMA and to raise public awareness of recreational trails and parks.

Recommendation: Promote William Maxfield Drive as a means of gaining access to the Hoit Marsh WMA and create a parking area off the side of the road in anticipation of a future public trail system in the WMA.

Recommendations for the Northeast Corner Conservation Easements

4

Recommendation: Work with private landowners to document the existing trails in the northeast corner of town and to raise public awareness of recreational trails and parks.

Recommendation: Offer to help maintain some of the existing trails by becoming "trail stewards."

Recommendation: Have access for 3-4 cars and have users check in with private landowners before using the trails around Sanborn Pond.

Recommendations of Trails on Conservation and Public Lands

3 B F M

Recommendation: Approach landowner of landlocked parcel adjacent to John Bachelder Town Forest for purchase or right-of-way agreement for the trail to Bumfagon Swamp.

B

Recommendation: Leave enough room for a parking area on the Route 129 parcel.

B

Recommendation: Establish a recreational trail in the Town of Loudon Parcel on Route 129.

F

Recommendation: Encourage the use of the Oak Hill Fire Tower Trail to the City of Concord's existing trail system on Oak Hill.

M

Recommendations of Class VI Roads

Recommendation: Designate as Class A or Class B trails the following Class VI roads, Wiggins Road, William Maxfield Drive, Shaw Road, Taylor Hanes Road, Flagg Road, Flagg Hole Road, and Sanborn Road (the upper city), within Town by working with abutting landowners (see IMPLEMENTATION MEASURES).

Recommendation: Work with abutting landowners to share maintenance and monitoring duties of the trails or Class VI roads being used as trails.

Recommendation: Conduct research to ascertain if any of the Class VI roads have been voted at Town Meeting as permanently discontinued.

Recommendation: Recommend to the Board of Selectmen that all Class VI roads should be retained by the Town as public rights-of-way and not returned to abutting landowners (see also **General Recommendations**).

Recommendations of Snowmobile Trails

5 6 7 8 9 10 11 12

Recommendation: Work with the Sno Shakers Snowmobile Club and private landowners to gain permission to use the snowmobile trails as year-round recreational trails.

Recommendation: Work with the Sno Shakers Snowmobile Club to monitor and/or maintain snowmobile trails that are available for public summer use.

Recommendation: Work with the snowmobile clubs from abutting towns to monitor and/or maintain those snowmobile trails that travel into Gilmanton, Pembroke, Concord, Canterbury, Chichester, or Pittsfield which are available for public summer use.

Recommendations of Potential Trails or Trail Linkages on Private Land

A B C D E

Recommendation: Research the feasibility of a trail connector of snowmobile trails at Gues Meadow Road and south of Currier Road.

A

Recommendation: Research the feasibility of a trail connecting the public/private snowmobile trail on Taylor Hanes Road with Bachedler Town Forest and the Town Forest on Route 129.

B

Recommendation: Research the feasibility of a trail connecting the Sanborn Family Trust Trails to Pleasant Street.

C

Recommendation: Research the feasibility of a trail connecting the snowmobile trail along PSNH powerline corridor to Pleasant Street and to the Town of Loudon Parcel on Route 129.

D E

Recommendations of Areas to Protect from Future Development

G H I J K L

Recommendation: Encourage general promotion and retention of open farmlands, working farms, and woodlands.

Recommendation: Research the potential for protection of the Rocky Pond/ Shaw Road area.

G

Recommendation: Research the potential for protection of the Bachelder Town Forest/Sanborn Pond area.

H

Recommendation: Holt's Pond is of particular importance and the owner has been approached for an easement.

I

Recommendation: Research the potential for protection of the Bog Pond Wetlands and Crooked Pond area.

J

Recommendation: Research the potential for protection of the Hunting Swamp area.

K

Recommendation: Research the potential of creating a 150 foot buffer along the shoreline of the Soucook River, beginning at Currier Road and ending at the Pembroke Town Line.

L

I. INTRODUCTION

As the primary constraints for producing a study or plan of any type are time and money, the Regional Environmental Planning Program (REPP) afforded an opportunity to produce this Plan that may not have otherwise become available. Knowing that the Town values its identity and has the desire to balance economic development with conservation, the CNHRPC approached the Town of Loudon with an offer to produce an Open Space Trail System Plan at no cost to the Town other than volunteer review and comment. This Plan is intended to serve as a guide toward the creation of a trail network through identification of existing and potential trails and the properties on which they fall; with landowners' permission to utilize a portion of their land, these trails would adequately serve the purposes of conservation, recreation, and economy.

IMPORTANCE OF OPEN SPACE AND RECREATION

Loudon has all the elements of a quintessential New England town: the rolling hills of Loudon Ridge with the century owned, family farms and the Village area established along the Soucook River with its older homes. In the Village, one can find many town services, including the police and fire station, library and town offices. There is also a center green with ball fields, tennis courts, and a bandstand for community activities. The out-lying area of Loudon, which makes up the majority of the landmass of the Town, is still very rural with houses sprinkled among fields and woodlands.

Loudon has a Mill Pond near the Village which serves as a gathering spot for anglers or those who come to watch the geese or ducks that frequent that area. Wildlife is abundant through out the Town because of the habitat that exists. A great portion of the town is wetland and offers a diverse ecosystem for a variety of plant and animals including, moose, deer, coyotes, and bird species.

Loudon is also home the New Hampshire International Speedway (NHIS), a state of the art auto-racing track that attracts tens of thousands of race fans each year for the famed Winston Cup races. NHIS is a good neighbor to the town and works hard with community groups to establish conservation easements to maintain Loudon's character, and control traffic during race weekends to minimize the impact on local residents. The Speedway's commitment to the community is further demonstrated by the college scholarships it offers to students from Loudon.

Because of Loudon’s close proximity to the City of Concord, the Town must work hard to maintain its rural character, which is not always an easy thing to do with the increasing growth experienced in the State. Community groups in Loudon work together closely to control growth and suburban sprawl.

New Hampshire itself is prized for its rural character and its eclectic types of outdoor recreation. Our legislators, recognizing the population and development boom that has been occurring since the mid 1980's, have passed a number of laws designed to preserve our open spaces and encourage stewardship of our natural resources. The NH Department of Fish and Game (NH

F&G) also holds thousands of acres of conserved land, the vast majority of it accessible to the public for hunting, fishing, snowmobiling, hiking, and other uses. The NH Department of Resources and Economic Development (NH DRED) has similar land holdings and hosts grant programs to promote the development and maintenance of trails. Many private and non-profit organizations also hold easements and titles to key resource parcels. In New Hampshire, open space activities, including tourism, account for 25% of our gross State product.

In 1993, the Land Conservation Investment Program (LCIP) unofficially concluded its six-year mission to protect 248 properties in New Hampshire, totaling 101,000 acres, through a successful public-private partnership. The Land Conservation Investment Program was one of the State's most comprehensive conservation efforts since the creation of the White Mountain Nation Forest. By the time the funds ran out in March 1993, the equivalent of one acre of every 57 acres had been protected from development in New Hampshire. Because of the intimate involvement of the private sector, the use of easements, landowner donations, and tough negotiating, the public's investment of $46.4 million in acquisition funds protected $83.3 million of land.

Loudon was fortunate to have an active Conservation Commission and some forward-thinking residents during the six years that the LCIP was running. The efforts of these local residents were able to protect nearly 2,000 acres in Loudon through the LCIP. The Osborne and Bergeron families worked with the state to put conservation easements on portions of their property and encouraged their neighbors to do the same. This act helped protect highly productive farmland surrounding Sanborn Pond, scenic views unmatched anywhere in this part of the State, very productive and well-managed forestland, and extensive wildlife habitat. Six landowners were involved in the Town's local project. The Town of Loudon recognizes these scenic farms as a historic agricultural area in its zoning ordinance. With the Town's ambitious local LCIP project, along with the State project, the land protected totals 2,055 acres.

Incentives given to private landowners encourage them to open their property for use by the public. The Current Use Taxation law (RSA 79-A:1), in effect since July 1973, is a way for property owners to receive a tax reduction based upon their agreement to keep their land undeveloped. Forestry and agriculture are encouraged. This law also offers a 20% reduction of the current use assessment if a property owner agrees to allow the public recreational access to the land every month for the entire year (RSA 79-A:4). Municipalities may adopt a Land Use Change Tax Fund (RSA 79-A:25-a) that places the money acquired from a property leaving current use into a fund, separate from the general fund, for the purpose of purchasing easements or parcels for conservation.

A healthy, diverse community is a great attraction to business, tourists, and new residents. What makes a community appealing is its fine balance of development and conservation. The link between open space and recreation is distinct, and it is beneficial for both landowners and the public. There are many types of recreation possible on these lands, and this Plan will focus on the benefit of trails. A trail network will serve to allow alternative modes of transport, particularly for recreation, throughout Loudon. The Open Space Trail System Plan for Loudon will identify those existing trails and linkages which could be established through landowner contact and cooperation and offers guidance on how to accomplish the Recommendations of this Plan.

LOUDON MASTER PLAN FINDINGS

A municipal Master Plan (RSA 674:2-4) is intended to be a guide to the current and desired conditions of the Town. These conditions are inventoried in the elements, or chapters, of a Master Plan. Typical Master Plan elements include Transportation, Land Use, Future Land Use, Conservation and Preservation, Historical, Population and Economics, Housing, and Community and Recreational Facilities. The Master Plan, when adopted by the Planning Board, is the legal basis for the Zoning Ordinance, Subdivision Regulations, and Site Plan Review Regulations of the Town. Although there are currently no laws which require an updated Master Plan within a particular time frame of the last version of the Master Plan, the generally accepted span of time between updates is five to seven years.

An Open Space Trail System Plan is a complement to a Master Plan because it is designed in conjunction with the findings and goals of the Master Plan. Specifically, the Open Space Trail System Plan can be considered a sub-element of the Conservation and Preservation Element and can be adopted by the Planning Board as such at any time.

The Town of Loudon is currently working on a 2001 Master Plan update. Several chapters have already been adopted, while several more are scheduled to be ready in September 2001. One of the chapters currently in development by the Master Plan committee is the Conservation, Preservation, and Open Space Chapter. Listed below are some tentative recommendations from this chapter, which are subject to adoption in September:

- To preserve the visual character of the Town of Loudon by protecting its natural, historic, scenic, and agricultural resources;
- To promote conservation, protection, and sound management of the Town's natural resources;
- To provide a full range of recreational opportunities for all ages and user groups;
- To acquire development rights, conservation easements, or fee ownership of lands of special importance.

These goals tie in with the intent of this Open Space Trail System Plan, with the general concepts being echoed throughout this document.

METHODOLOGY

In order to start the process of creating an Open Space Trail System Plan, a group of volunteers representing both public and private interests in Loudon formed. Meeting four times between February 15, 2001 and June 30, 2001, the Loudon Trails Steering Committee, led by a core of Conservation Commission members, provided guidance as well as review and comment on the maps and materials that CNHRPC produced. In addition, many also wrote descriptions of different trails or parcels.

At the first meeting on February 15, the volunteers corrected the road names and road classifications within Town, identified the former railroad rights-of-ways and existing trails, and verified land permanently protected from development. At the second meeting on March 8, volunteers reviewed the first draft of this Plan and the resulting draft trails map. At the third meeting on April 11, the volunteers reviewed the second draft of Plan and the draft open space trail system map to be incorporated into the Plan. At the fourth meeting on June 13, the volunteers reviewed the Proposed Open Space Trail System Chapter and Map and discussed potential trail linkages and special areas to protect from development, as well as the final version of the Plan that CNHRPC staff would be assisting with. After the publication of this July 2001 version, the Loudon Trails Steering Committee will decide whether to further review and amend the Open Space Trail System Plan before bringing the document before the Planning Board.

In between the meetings, CNHRPC staff researched the parcels on which the trails and rights-of-way fell, and researched the conservation land and Town-owned land using the April 2000 Town tax maps and the February 2001 tax assessment index. Detailed parcel information was obtained, including *Map* and *Lot* number, *Acreage*, and if the parcel was not currently protected from development, whether the parcel was in *Current Use* and if a *Building* was located on it. Information of this nature not only provides description of the parcel, but may also be relevant in determining the likelihood of the landowner to grant public access to the parcel. All of this information is available and accessible to the general public during normal Town Hall business hours.

In addition, if the parcel had a trail/right-of-way on it, was publicly owned, or was protected from development, educated assumptions about the *Management* of the responsibilities were listed as well as if the landowner has granted permission for any *Public Uses* of that parcel. Where the *Management* or *Public Uses* of a parcel were unclear, the Loudon Trails Steering Committee felt it most appropriate to defer to the privacy of the landowner.

Using a Global Positioning System (GPS) unit, CNHRPC staff located several of the trails identified by Steering Committee members. Individuals walked the trails with the GPS unit, which uses orbiting satellites to record the actual position of objects (trails, in this case) on the ground. The resulting data from the GPS unit can be used in a Geographic Information System (GIS) for the production of maps. In this Open Space Trail System Plan, GPS'd trails data has been incorporated into and used with existing GIS data layers to create the maps found at the back of this Plan. The trail segments that have been located using a GPS are indicated by a GPS symbol beside their descriptions in the two INVENTORY sections.

An important limitation of GPS to consider is its inability to correlate to the Town's tax maps because of different source data and different scales. Therefore, the tax maps have not been used with this map series. Those trails indicated in the Plan with a GPS may or may not have the appropriate parcels listed. Additional field checking should be completed.

After completion of the inventory of conservation lands, easements, rights-of-way, and trails, the Loudon Trails Steering Committee examined these assets and presented a proposed open space trail system. This system incorporates the existing trails and protected lands findings with the potential future trails and open space options, and gives a series of Recommendations to be undertaken for reaching the goals of the system.

Staff of the CNHRPC previously consulted with the Trails Bureau staff of the NH Department of Resources and Economic Development (NH DRED) to ensure that relevant issues were adequately addressed in the Plan. In addition, staff of the NH Municipal Association (NHMA) were previously consulted to verify the accuracy of the references to the NH Revised Statutes (NH RSAs).

GOALS OF THE OPEN SPACE TRAIL SYSTEM PLAN FOR LOUDON

This Plan is designed to accomplish three goals:

1. Inventory existing public lands, easements, rights-of-way, and trails;
2. Determine where linkages to the lands and trails should be investigated;
3. Provide recommendations on how to obtain the linkages and maintain a trail system.

1. Inventory existing public lands, easements, rights-of-way, and trails

An inventory of the conservation easements, conservation lands, publicly owned lands, rights-of-way on private land, and private lands that allow or may be requested in the future to allow public access, give a solid picture of where the Town stands in terms of its open space and a trail system. The two concepts are intertwined. Using a trail to enjoy the scenic and natural beauty of the land promotes a connectedness to the land and the community, and the cooperation involved in acquiring the land for public access encourages the enjoyment of the land through that cooperation and the land's stewardship.

2. Determine where linkages to the lands and trails should be obtained

Conservation land, including the land owned by the Town of Loudon and the State, creates a basis for a trail system. Coupled with existing formal (Snowmobile Club trails) and informal trails (Class VI roads, former railroad bed, and private trails), connections can be graphically viewed through maps and potential connections can be determined to enhance the existing open space and trail system.

Different trails and conservation lands have their own unique uses that are directly attributed to the topography, soils, and natural resources as well as the desires of private landowners to have their land enjoyed by the public in particular ways. Multi-use trails can safely accommodate different types of uses where appropriate trail construction or planning has been utilized.

3. Provide recommendations on how to obtain the linkages and maintain a trail system
Following the data collection stage comes putting the data to work. Landowner participation will be an integral factor in the overall success of the Plan; they should be educated about the benefits of conservation and contacted about the possibility of opening their land to public access. Trails can be officially designated by the Town, and strategies for their maintenance and promotion will be discussed. A comprehensive **APPENDIX** series will contain documentation and assistance with many of these issues.

*The Loudon Trails Steering Committee and CNHRPC staff completed this Plan to the best of their ability with the information that was available. Additional research needs to be completed on the former railroad rights-of-way and on the status of each Class VI road; further investigation should be undertaken before performing any legal procedure suggested in the **IMPLEMENTATION MEASURES**. Although there are no guarantees on the accuracy of the data presented or on the interpretations made of the NH RSAs, everyone involved with this Plan put forth their best faith efforts in order to produce a viable, practical Open Space Trail System Plan for the benefit of the Town of Loudon.*

II. INVENTORY OF PUBLIC LANDS, EASEMENTS, AND RIGHTS-OF-WAY

The first step to any plan is to identify what currently exists of what one is attempting to study. By giving a detailed listing of parcel information as well as a description of the property or right-of-way, it becomes easier to determine what the next steps will be for enhancements, landowner agreements, or determination of appropriate trail usage. Many properties have characteristics that are better suited for certain types of trails usage; for example, trails along a riverbank or waterbody are generally not suited for motorized use, nor are trails susceptible to erosion. Also, landowners that have given permission for one use, such as winter snowmobiling, may not be willing to allow summer hikers to cross their land. Throughout the Plan, it is imperative to remember that almost all land is privately owned and needs to be respected as such regardless of its being listed in this Plan.

> Special attention should be given to any *Public Uses* listing in this Plan as the majority of the parcels listed as having potential for a trail or are currently being used as a trail are privately owned.

This section is dedicated to the inventorying of the official conservation land easements, other public land owned by the Town of Loudon, land owned by private public service companies, Class VI roadways, railroad rights-of-way, and powerline easements. Although some charts will change slightly due to the information being collected, *Map* and *Lot* number are always indicated as well as the *Acreage*. A blank cell indicates that a potential discrepancy exists between the tax map and the assessor's index, while a "n/a" listing is an abbreviation of "not applicable" because the parcel is tax-exempt. As a matter of public record, this same information and additional information can be found at the Loudon Town Hall.

CONSERVATION LAND EASEMENTS AND PERMANENTLY PROTECTED LANDS

Property ownership is a combination of privileges that allows a landowner to exercise certain rights. Conservation easements are restrictions that landowners voluntarily place upon their property that legally bind the present and future owners of that property, restricting their ability to use some of those rights in order to protect the natural features of the land. Many public agencies and private organizations make these permanent agreements with landowners and oversee their compliance. All of the public and conservation lands are located on the **Public Lands, Easements, and Rights-of-Way Map**.

> This Section
>
> - Conservation Easements
> - Town Owned Conservation Parcels
> - Other Owned Conservation Parcels

This section also contains lands which are not permanently protected from development but which serve as Town forests or have potential for future preservation.

Conservation Easements

Easements permanently protect the land from development. While the spirit of a conservation easement suggests that the land is open to the public for use, each conservation easement deed is uniquely tailored to suit the needs and desires of the landowner. Therefore, many conservation easements may or may not allow public access. Particular attention should be paid to the *Public Uses* column before any assumption is made as to usage by the general public. Where there is any doubt about the ability of the public to use a parcel of land, the landowner or easement holder should be contacted for clarification. Several private conservation easements are found in Loudon, in which the Town doesn't own the land. There are additional conservation lands that are owned by the Town and several of them have easements on them.

New Hampshire International Speedway Easements

The New Hampshire Speedway, Inc. granted a conservation easement, held by the New Hampshire Department of Fish & Game on several lots that it owns in the Town of Loudon.

Name	Map #	Lot #	Acres	Management	Public Uses
NHIS Easement	50	19	40.27	NH Fish & Game	Unknown
NHIS Easement	51	19	117.18	NH Fish & Game	Unknown
NHIS Easement	51	26	56.3	NH Fish & Game	Unknown
NHIS Easement	53	12	127	NH Fish & Game	Unknown
NHIS Easement	53	13	26.3	NH Fish & Game	Unknown
NHIS Easement	61	5	430.07	NH Fish & Game	Unknown
NHIS Easement	61	3	3.7	NH Fish & Game	Unknown
NHIS Easement	62	2	53.5	NH Fish & Game	Unknown
NHIS Easement	62	3	85	NH Fish & Game	Unknown
NHIS Easement	64	2	8.6	NH Fish & Game	Unknown

Bachelder Easement

This property consists of 2 tracts of land in Loudon Center, made up primarily of woodlands, cropland, and hay fields. The easement on lot 25-6 descends from the farmstead across both cropland and woodland to Sanborn Pond, where it abuts the Sanborn Family Trust easement, both of which contain locally used trails. Lot 25-9 has no buildings and includes a marshy area at its lowest point, with limited access through the woodland area. The meadows of the Bachelder farm surround the historic family homestead, one of the earliest homes in town, as well as the original Loudon Post Office.

Name	Map #	Lot #	Acres	Management	Public Uses
Bachelder Easement	25	6	40	Town of Loudon	Contact Landowner
Bachelder Easement	25	9	34	Town of Loudon	Contact Landowner

Bergeron Wildlife Management Area

The Bergeron family has an easement on this property which is held by New Hampshire Fish and Game. The easement protects the farm's rear woodlands and agricultural fields. The easements protect outstanding habitat for a variety of upland wildlife, in particular, deer and turkey. The Bergeron Farm is one of Fish and Game's original transplant sites for turkey, and includes a deer wintering area. This property is contiguous with the 738-acre Osborne Wildlife Management Area.

Name	Map #	Lot #	Acres	Management	Public Uses
Bergeron Easement	9	5	56.5	NH Fish and Game	Contact Fish and Game
Bergeron Easement	17	3	31	NH Fish and Game	Contact Fish and Game

Joseph Merrill Easement

Joseph Merrill sold a conservation easement on his 189.4 acres on Ring Road in Loudon and on Green and Colony Roads in Pittsfield. The scenic farmland has views to distant hills and abuts the Yeaton Farm.

Name	Map #	Lot #	Acres	Management	Public Uses
Joseph Merrill Easement	8	2	70.5	Town of Loudon	Passive use, see owner

Bruce Yeaton Easement

Bruce Yeaton sold the town a conservation easement on his Ring Road farm in March, 1993. The property includes productive agricultural land, forested, and has valuable wetland habitats.

Name	Map #	Lot #	Acres	Management	Public Uses
Bruce Yeaton Easement	8	9	216.5	Town of Loudon	Passive use, see owner
Bruce Yeaton Easement	8	4	91.4	Town of Loudon	Passive use, see owner
Bruce Yeaton Easement	8	3	16.5	Town of Loudon	Passive use, see owner

Green Easement

Esther Green sold a conservation easement on 98 acres of farmland through the LCIP Program in March, 1993. The land is located on Blake Road and Loudon Ridge Road. The property includes productive agricultural fields, pine and hardwood forests and valuable wetland habitats.

Name	Map #	Lot #	Acres	Management	Public Uses
Green Easement	27	2	36	Town of Loudon	Passive use, see owner
Green Easement	36	1	72	Town of Loudon	Passive use, see owner

Richard Merrill Easement

Richard Merrill sold the conservation easement on his 272.6 acres of farmland located on Route 129 and Captain French Road in Loudon in September, 1992. The parcel contributes to the protection of Sanborn Pond and provides significant habitat for turkey, deer and beaver. The Merrill parcel is located adjacent to the Sanborn Farm and Green easements.

Name	Map #	Lot #	Acres	Management	Public Uses
Richard Merrill Easement	26	7	164	Town of Loudon	Passive use, see owner
Richard Merrill Easement	26	9	155	Town of Loudon	Passive use, see owner

Osborne Wildlife Management Area

The Osborne family has an easement on this property which is held by New Hampshire Fish and Game. This easement protects habitat for wild turkey, waterfowl, and deer. The farm is located in Loudon, Pittsfield, and Barnstead. There are also panoramic views of Mt. Kearsarge and Pat's Peak. The Osborne family grows hay and corn and raises beef cattle on their farm. The easement allows for public access for hiking, hunting, and cross-country skiing. Several town roads in this area also offer attractive trail routes.

Name	Map #	Lot #	Acres	Management	Public Uses
Osborne Easement	9	1	54	NH Fish and Game	Contact Fish and Game
Osborne Easement	9	2	293.27	NH Fish and Game	Contact Fish and Game

Sanborn Family Trust

This property was put under easement in July 1992. The farm is known for its antique water-powered sawmill at the outflow of Sanborn Pond. Approximately 35 acres of hayfield surround the historic homestead and mill area; the balance of the farm is in mixed northern hardwoods and white pine. The easement provides for pedestrian access to the forest lands and prevents any further residential development. To the east, the property is abutted by the Osborne Farm (also protected through LCIP), and to the west, along the pond frontage, the Sanborn farm joins the Albert Bachelder farm. Together with the Richard Merrill and Bachelder parcels, this easement protects the majority of the frontage on beautiful Sanborn Pond.

Name	Map #	Lot #	Acres	Management	Public Uses
Sanborn Family Trust	17	1	85	Town of Loudon	Passive use, see owner
Sanborn Family Trust	17	2	259	Town of Loudon	Passive use, see owner

Town-Owned Conservation Parcels

The Town owns several permanent conservation parcels, including those turned over to the Conservation Commission for management or Town Forests. The Town Owned Conservation Parcels category is an important piece of the open space puzzle because the undeveloped lots generally allow public use of the land for certain purposes.

Town-Owned Land (Bear Hill Commons)

This small parcel off of the Class VI portion of Bear Hill Road is primarily covered by wetlands. Its recreational value is limited, but it may serve as good habitat for wetlands species.

Name	Map #	Lot #	Acres	Management	Public Uses
Town-Owned Land (Bear Hill Commons)	13	24	17.6	Cons Comm	Contact Cons Comm

Bumfagon Swamp Parcel

This parcel of land encompasses the south side of Bumfagon Swamp and has frontage on Young's Hill Road.

Name	Map #	Lot #	Acres	Management	Public Uses
Bumfagon Swamp	34	4	152	Cons Comm	Contact Cons Comm

Flagg Lot

This parcel has frontage on the Soucook River north of Dump Road.

Name	Map #	Lot #	Acres	Management	Public Uses
Flagg Lot	40	15	20.3	Cons Comm	Contact Cons Comm

Maxfield Lot

The Maxfield Lot is located in the west corner of Loudon, adjoining the Hoit Road Marsh. Class VI William Maxfield Drive passes through this parcel on its way to Old Shaker Road.

Name	Map #	Lot #	Acres	Management	Public Uses
Maxfield Lot	56	5	145	Cons Comm	Contact Cons Comm
Maxfield Lot	56	7	1	Cons Comm	Contact Cons Comm

Town of Loudon Parcel

This parcel is located along Route 129 south of Pleasant Street.

Name	Map #	Lot #	Acres	Management	Public Uses
Town of Loudon Parcel	24	8	50	Town of Loudon	subj. to Town restrict.

Other Owned Conservation Parcels

This category is reserved to list conservation lands owned by the State (such as a State Forest) or by a land trust (such as a conservancy). These parcels are permanently protected from development and are enforced by an agency other than the Town of Loudon. The public is allowed to use these parcels for certain purposes.

Fire Tower

The State owns a fire tower at the end of Tower Road off of Oak Hill Road. Several snowmobile trails and a hiking trail from Concord proved ample opportunity for recreational uses. At the bottom of the private Tower Road, there is a locked gate.

Name	Map #	Lot #	Acres	Management	Public Uses
Fire Tower	37	1	2.06	State of NH	Passive Use

Hoit Marsh Wildlife Management Area (WMA)

The marsh extends into the City of Concord and is surrounded by State of New Hampshire lots and the conservation parcel, Maxfield Lot. The marsh is a very wet, but scenic area.

Name	Map #	Lot #	Acres	Management	Public Uses
Hoit Marsh WMA	55	11	44	NH Fish and Game	Contact Fish and Game
Hoit Marsh WMA	56	8	27	NH Fish and Game	Contact Fish and Game

The Nature Conservancy

The Nature Conservancy owns parcels in two areas of Town. One area abuts the Soucook River at Currier Road and may be suited to proved public access to the river. The second area is landlocked south of the Class VI portion of Kenney Road and is over 50 acres in size. This parcel is separated from the Bachelder Town Forest by another landlocked, privately owned parcel.

Name	Map #	Lot #	Acres	Management	Public Uses
The Nature Conservancy	39	35	65	Nature Conservancy	Contact TNC
The Nature Conservancy	39	36	1	Nature Conservancy	Contact TNC
The Nature Conservancy	39	34	12.3	Nature Conservancy	Contact TNC
The Nature Conservancy	44	13	50	Nature Conservancy	Contact TNC

Soucook River State Forest

This State forest also abuts the Soucook River off of Class VI Old Concord Road. It currently serves a snowmobile network and encompasses steep slopes.

Name	Map #	Lot #	Acres	Management	Public Uses
Soucook River State Forest	19	14	42.5	NH DRED	Contact DRED
Soucook River State Forest	11	6	5	NH DRED	Contact DRED

PUBLIC OR PRIVATE PARCELS FOR POTENTIAL PUBLIC USE

A significant number of acres within the Town are either owned publicly by the Town itself, by the State, by private companies that provide types of public services to the Town, or by private organizations. The large blocks of undeveloped land are essential to the rural character of Loudon. The Town-owned parcels in particular are important to document because of the relative ease of using the properties in a conservation- or recreation-related manner.

This Section
- Utility Parcels
- Local, State, and Federal Public Parcels

Utility Parcels

Land owned or managed by private companies that provide a public service to the Town can serve a unique purpose. Mutually beneficial agreements can be forged between these companies and the Town: the Town gets to place a trail on the land and the utility company gets to publicize its community service to the Town. In addition, such land is also valuable from an open space standpoint because of its relative permanence and minimal development.

Public Service of New Hampshire (PSNH) Parcels

These parcels are listed due to their public service nature. A listing of those private properties upon which PSNH holds an easement is to be found in the **Rights-of-Way** section.

Name	Map #	Lot #	Acres	Management	Public Uses
PSNH Parcel	29	88	0.23	private	none
PSNH Parcel	29	60		private	none

Public Service of New Hampshire Leased Land

PSNH has leased a piece of land which abuts the State fire tower property.

Name	Map #	Lot #	Acres	Management	Public Uses
PSNH Leased Land	37	2	108.2	PSNH	none

Local, State, and Federal Public Parcels

Land that the Town of Loudon and the State of New Hampshire own, but which are not officially conservation lands, such as community facilities, are listed here. The parcels listed below were identified by the Town of Loudon's Tax Assessor's Index.

Other State-Owned Parcels

This category is reserved for those parcels that are owned by the State but are not necessarily accessible to the public for general use. These parcels are typically bought for revising roadways and bridges at future date. They are located mostly along Route 106. Although the tax index does not identify the State agency in charge of each parcel, the *Management* and *Public Uses* are assumed:

Name	Map #	Lot #	Acres	Management	Public Uses
State of NH Parcel	1	29	1	State of NH	Unknown
State of NH Parcel	1	48	5.04	State of NH	Unknown
State of NH Parcel	20	72	1	State of NH	Unknown
State of NH Parcel	49	1	1	State of NH	Unknown
State of NH Parcel	49	3	1.5	State of NH	Unknown
State of NH Parcel	49	100	9.6	State of NH	Unknown
State of NH Parcel	50	10	1	State of NH	Unknown
State of NH Parcel	50	14	1	State of NH	Unknown
State of NH Parcel	50	17	0.25	NH DPW&H	None
State of NH Parcel	50	20	2.0	State of NH	Unknown
State of NH Parcel	50	55	0.4	State of NH	Unknown
State of NH Parcel	56	3	29	State of NH	Unknown
State of NH Parcel	56	4	14	State of NH	Unknown
Clough Pond Access	58	12	1	State of NH	Access to Clough Pond
State of NH Parcel	60	33	1.1	State of NH	Unknown
State of NH Parcel	60	37	0.77	State of NH	Unknown
State of NH Parcel	60	45	1	State of NH	Unknown
State of NH Parcel	66	22	2.2	State of NH	Unknown

Town of Loudon Parcels

The Town itself owns many parcels of various sizes which have been acquired through different means. Except for those parcels which serve a public purpose, only those town-owned lots over two acres were listed. In addition, several were previously mentioned and are not listed here:

Name	Map #	Lot #	Acres	Location	Public Uses
Staniels Road Ballfields	1	22	5.2	Staniels Road	Recreation
Town of Loudon Parcel	11	7	1.05	Wales Bridge Road	River access
Maxfield Library	20	29	0.7	S. Village Road	library
Town of Loudon Parcel	20	30	1.94	Cooper Street	None
Recreation Fields	20	33	20.7	Recreation Lane	Recreation
Recreation Fields	20	45	0.27	Route 106	Recreation
Town of Loudon Parcel	21	17	2.3	Route 106	Unknown
Town of Loudon Parcel	29	26	2.6	Foster Road	None
Town Hall	33	9	2	Clough Hill Road	Town Hall
Transfer Station	40	8	23.4	Dump Road	Transfer Station
Town of Loudon Parcel	49	73	2.8	Soucook Lane	None

Loudon Fire Department	54	11	0.23	Lower Ridge Road	Fire House
Town Beach- Clough Pond	58	84	0.5	Clough Pond Road	Beach
Town Beach- Clough Pond	58	86	0.6	Clough Pond Road	Beach
Loudon Elementary School	29	14	4.6	School Street	School

RIGHTS-OF-WAY PARCELS

This Section
- Class VI Roads
- Scenic, Abandoned & Discontinued Roads
- Utility Corridor Easements & Rights-of-Way

Rights-of-way are defined as those strips of land acquired by reservation or dedication to be occupied by a road, crosswalk, railroad, electric transmission line, water line, or other similar uses. The right of a person or representatives of an entity to cross over the property of another is granted. For the purposes of this Plan, the types of rights-of-way which will be examined will be those of railroad, Class VI unmaintained Town roads, and powerline easements because they are more conducive to encouraging trails activities.

Parcels are identified by *Map* and *Lot* number, with a listing of the *Acreage* of the property. In addition, the Town tax records indicate if the parcel is in *Current Use* and if a *Building* is located on the property. Examining these particular features of a parcel make it easier to identify if the land is more apt to be utilized as a trail, or if applicable (such as powerline easements, where only the utility company is officially granted access), if a landowner is more likely to grant additional access to his or her property. A "n/a" listing indicates that the parcel is tax-exempt. When identifying who is responsible for *Management*, the intent is to note who has agreed to take responsibility for overseeing the maintenance of the right-of-way. In the case of Class VI Roads, the right-of-way is Town owned, but is not maintained by the Town. Close attention should be paid the *Public Uses* of any parcel listed in this section, as some rights-of-way are inherently open to the public while others are not.

Class VI Roads

Municipal highways become known as Class VI roads if they are unmaintained for five or more years, if they are voted as "discontinued subject to gates and bars" at Town Meeting, or, less commonly, if a strip of land which was not previously a roadway is "laid out" subject to gates and bars under an old law. Regardless of how a road became Class VI, the Town is not under obligation to maintain it. Class VI roads "discontinued subject to gates and bars" at Town Meeting (meaning the public still has the right-of-way) are different from roads that have been voted at Town Meeting as "discontinued" (meaning that the roadway is permanently no longer a public right-of-way).

Typically, Class VI roads are public rights-of-way that are used for recreational purposes, for through-travel, for driveway access, and for other uses such as agricultural and forestry activities. The Town is not liable for damages or injuries incurred while traveling on a Class VI road (RSA 231:93). In addition, the owners of the properties abutting the Class VI road are not liable for damages or injuries sustained to users of the road, although they may choose to maintain the road for access to their property. A Class VI right-of-way is one of the best types of rights-of-way to consider for a recreational trail system: there are no inherent liability concerns, the pathway has been established, and public access is allowed.

The parcels in this section are so listed because of the inherent interest an abutter has to a Class VI road (vehicular access to property, privacy, particular concerns, etc). The *Management* column in this section lists "n/a" because private landowners are responsible for their own property. Although the Class VI road rights-of-way belong to the Town, they are not maintained by the Town, or "enforced" by them. The *Public Uses* listed in this section refer to the uses of the *right-of-way*, not to any private parcel that is listed here.

For the purposes of this Plan, it is assumed that the Class VI roads listed in this section are public rights-of-way that have not been discontinued or are not private roads. Extensive research of Town Meeting records would need to be undertaken to verify this assumption.

Class VI Batchelder Road Segment

The Class VI segment of Batchelder Road begins at its intersection with North Village Road and ends at its intersection with Lincoln Terrace, a private road in the Lazy Pines Enterprises development. This stretch of Batchelder Road is subject to gates and bars.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Batchelder Road Seg.	39	13	27.4	N	Y	n/a	general public use
Class VI ROW: Batchelder Road Seg.	39	7	0.46	N	Y	n/a	general public use
Class VI ROW: Batchelder Road Seg.	39	6	1.07	N	Y	n/a	general public use
Class VI ROW: Batchelder Road Seg.	39	2	20.86	N	Y	n/a	general public use
Class VI ROW: Batchelder Road Seg.	39	8	4.36	N	Y	n/a	general public use
Class VI ROW: Batchelder Road Seg.	39	9	5.3	N	Y	n/a	general public use
Class VI ROW: Batchelder Road Seg.	39	12	29.9	Y	N	n/a	general public use

Class VI Bear Hill Road Segment

The Class VI segment of Bear Hill Road is located between Crooked Pond and Class VI Wiggins Road. It is about 4000 feet long and travels over some wetlands.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Bear Hill Road Seg.	4	11	111.9	Y	Y	n/a	general public use
Class VI ROW: Bear Hill Road Seg.	4	12	111.69	Y	Y	n/a	general public use
Class VI ROW: Bear Hill Road Seg.	13	1	32.88	N	Y	n/a	general public use
Class VI ROW: Bear Hill Road Seg.	13	2	40.1	N	Y	n/a	general public use
Class VI ROW: Bear Hill Road Seg.	13	7	16.13	Y	Y	n/a	general public use
Class VI ROW: Bear Hill Road Seg.	13	9	52.93	Y	N	n/a	general public use
Class VI ROW: Bear Hill Road Seg.	13	24	17.6	N	N	n/a	general public use

Class VI Beck Road Segment

The Class VI portion of Beck Road begins at the Canterbury Town Line and remains Class VI for about 2,000 feet.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Beck Road Segment	59	4	12.2	N	Y	n/a	general public use
Class VI ROW: Beck Road Segment	59	5	5.5	Y	N	n/a	general public use
Class VI ROW: Beck Road Segment	59	6	4	Y	N	n/a	general public use
Class VI ROW: Beck Road Segment	59	7	27.41	Y	Y	n/a	general public use
Class VI ROW: Beck Road Segment	59	8	3.9	N	Y	n/a	general public use
Class VI ROW: Beck Road Segment	59	39	4.52	N	N	n/a	general public use

Class VI Bee Hole Road Segment

The Class VI segment of Bee Hole Road is a 1,000 foot section that travels through wetlands and over Bee Hole Brook, about a mile south of Cross Brook Road.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Bee Hole Road Seg.	12	1	2.49	N	N	n/a	general public use
Class VI ROW: Bee Hole Road Seg.	12	2	10	N	Y	n/a	general public use
Class VI ROW: Bee Hole Road Seg.	12	3	26.55	Y	Y	n/a	general public use
Class VI ROW: Bee Hole Road Seg.	12	4	74	Y	N	n/a	general public use
Class VI ROW: Bee Hole Road Seg.	12	9	30.03	N	N	n/a	general public use

Class VI Brown's Lane

Brown's Lane is a short Class VI ROW located on the eastern side of Route 106 north of Chichester Road.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Brown's Lane	11	23	17.32	Y	Y	n/a	general public use
Class VI ROW: Brown's Lane	20	100	17.41	N	N	n/a	general public use

Class VI Flagg Road Segment

The Class VI segment of Flagg Road begins at its intersection with Lovejoy Road and continues east for about 2,000 feet. It travels over wetlands that are part of the Hunting Swamp.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Flagg Road Segment	57	4	23	Y	Y	n/a	general public use
Class VI ROW: Flagg Road Segment	57	15	65.23	Y	Y	n/a	general public use
Class VI ROW: Flagg Road Segment	57	22	32.8	N	Y	n/a	general public use
Class VI ROW: Flagg Road Segment	57	24	6.29	N	Y	n/a	general public use

Class VI Fox Pond Road

Class VI Fox Pond Road is located on the west side of south village road. It is about 3,000 feet long and forms a loop with Old Concord Road, parallel to the Soucook River.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Fox Pond Road	29	5	29.4	N	Y	n/a	general public use
Class VI ROW: Fox Pond Road	29	87	27	N	N	n/a	general public use

Class VI Road- Gues Meadow Road

Gues Meadow Road is a Class VI Road which is subject to gates and bars. It travels between Route 106 and Lower Ridge Road.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI Road: Gues Meadow Road	51	17	3.4	N	Y	n/a	general public use
Class VI Road: Gues Meadow Road	51	18	29	Y	Y	n/a	general public use
Class VI Road: Gues Meadow Road	51	19	117.18	Y	N	n/a	general public use
Class VI Road: Gues Meadow Road	51	22	1.97	N	Y	n/a	general public use
Class VI Road: Gues Meadow Road	60	38	6.05	N	N	n/a	general public use
Class VI Road: Gues Meadow Road	60	45	1	N	N	n/a	general public use
Class VI Road: Gues Meadow Road	61	9	82.05	N	N	n/a	general public use

Class VI Kenney Road Segment

The Class VI segment of Kenney Road begins at a stream about a mile east of Lower Ridge Road, and continues east to Ridge Road.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Kenney Road Seg	26	5	68.2	Y	Y	n/a	general public use
Class VI ROW: Kenney Road Seg	35	1	29	Y	Y	n/a	general public use
Class VI ROW: Kenney Road Seg	35	2	37	Y	N	n/a	general public use
Class VI ROW: Kenney Road Seg	35	4	52	Y	N	n/a	general public use
Class VI ROW: Kenney Road Seg	44	1	34.1	Y	Y	n/a	general public use
Class VI ROW: Kenney Road Seg	44	2	67	Y	N	n/a	general public use
Class VI ROW: Kenney Road Seg	44	3	0.3	N	N	n/a	general public use
Class VI ROW: Kenney Road Seg	44	9	7.2	N	Y	n/a	general public use
Class VI ROW: Kenney Road Seg	44	10	6.4	N	Y	n/a	general public use
Class VI ROW: Kenney Road Seg	44	11	6.4	N	N	n/a	general public use
Class VI ROW: Kenney Road Seg	44	12	5.8	N	N	n/a	general public use

Class VI Lesmerises Road Segment

The Class VI portion of Lesmerises Road is about 4,000 feet long and spans between Clough Pond Road and Flagg Road.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Lesmerises Road Seg.	49	5	6.21	N	Y	n/a	general public use
Class VI ROW: Lesmerises Road Seg.	49	10	38.9	Y	Y	n/a	general public use
Class VI ROW: Lesmerises Road Seg.	49	11	6.1	N	Y	n/a	general public use
Class VI ROW: Lesmerises Road Seg.	49	12	1.4	N	N	n/a	general public use
Class VI ROW: Lesmerises Road Seg.	49	13	1.5	N	N	n/a	general public use
Class VI ROW: Lesmerises Road Seg.	49	14	1.6	N	N	n/a	general public use
Class VI ROW: Lesmerises Road Seg.	49	15	1.3	N	N	n/a	general public use
Class VI ROW: Lesmerises Road Seg.	49	16	1	N	N	n/a	general public use
Class VI ROW: Lesmerises Road Seg.	49	17	1	N	Y	n/a	general public use
Class VI ROW: Lesmerises Road Seg.	49	110	11.76	Y	Y	n/a	general public use
Class VI ROW: Lesmerises Road Seg.	49	111	2	N	Y	n/a	general public use
Class VI ROW: Lesmerises Road Seg.	58	3	1.65	N	Y	n/a	general public use

Class VI Lilly Road

Class VI Lilly Road begins on Upper City Road in Loudon, adjacent to one of the Osborne Wildlife Management Area parcels, and travels to the Pittsfield Town Line.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Lilly Road	9	1	54	Y	Y	n/a	general public use
Class VI ROW: Lilly Road	9	4	1.4	N	Y	n/a	general public use
Class VI ROW: Lilly Road	9	6	44.3	Y	N	n/a	general public use
Class VI ROW: Lilly Road	9	13	5	N	N	n/a	general public use

Class VI Lovejoy Road Segment

The Class VI segment of Lovejoy Road begins at the Canterbury Town line and travels east for just over 1,000 feet.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Lovejoy Road Seg	57	9	9.3	Y	Y	n/a	general public use
Class VI ROW: Lovejoy Road Seg	57	10	41	Y	Y	n/a	general public use
Class VI ROW: Lovejoy Road Seg	57	17	1	Y	N	n/a	general public use

Class VI North Village Road Segment

The Class VI segment of North Village Road is located parallel to Route 106, about 2,000 feet north of the intersection of Currier Road and Class V North Village Road.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: N. Village Rd. Seg.	40	5	1	N	Y	n/a	general public use
Class VI ROW: N. Village Rd. Seg.	40	19	2	N	N	n/a	general public use
Class VI ROW: N. Village Rd. Seg.	40	25	0.7	N	Y	n/a	general public use
Class VI ROW: N. Village Rd. Seg.	40	26	0.7	N	Y	n/a	general public use
Class VI ROW: N. Village Rd. Seg.	49	1	1	N	N	n/a	general public use
Class VI ROW: N. Village Rd. Seg.	49	2	5.7	N	N	n/a	general public use
Class VI ROW: N. Village Rd. Seg.	49	3	1.5	N	N	n/a	general public use
Class VI ROW: N. Village Rd. Seg.	49	4	1.6	N	Y	n/a	general public use
Class VI ROW: N. Village Rd. Seg.	49	7	23	Y	N	n/a	general public use

Class VI Oak Hill Drive

Class VI Oak Hill Drive begins at Oak Hill Road south of Hardy Road. It is about 3/4 mile long, with a cul-de-sac at the end.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Oak Hill Drive	19	18	2.0	N	Y	n/a	general public use
Class VI ROW: Oak Hill Drive	19	19	2.01	N	Y	n/a	general public use
Class VI ROW: Oak Hill Drive	19	20	2.75	N	Y	n/a	general public use
Class VI ROW: Oak Hill Drive	19	21	2.39	N	Y	n/a	general public use
Class VI ROW: Oak Hill Drive	19	22	34.02	N	Y	n/a	general public use
Class VI ROW: Oak Hill Drive	28	4	2.0	N	N	n/a	general public use
Class VI ROW: Oak Hill Drive	28	5	2.0	N	Y	n/a	general public use
Class VI ROW: Oak Hill Drive	28	9	2.05	N	Y	n/a	general public use
Class VI ROW: Oak Hill Drive	28	37	2.0	N	Y	n/a	general public use
Class VI ROW: Oak Hill Drive	28	38	2.0	N	Y	n/a	general public use
Class VI ROW: Oak Hill Drive	28	39	2.0	N	Y	n/a	general public use
Class VI ROW: Oak Hill Drive	28	41	2.0	N	Y	n/a	general public use
Class VI ROW: Oak Hill Drive	28	42	2.08	N	Y	n/a	general public use
Class VI ROW: Oak Hill Drive	28	43	2.05	N	Y	n/a	general public use
Class VI ROW: Oak Hill Drive	28	44	2.1	N	Y	n/a	general public use
Class VI ROW: Oak Hill Drive	28	50	2.0	N	Y	n/a	general public use

Class VI Old Bailey Road

Old Bailey Road is located in the southeast corner of Loudon. It travels between Ricker Road and Staniels Road, adjacent to the public ballfields on Staniels Road.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Old Bailey Road	1	5	83	N	N	n/a	general public use
Class VI ROW: Old Bailey Road	1	8	45	N	Y	n/a	general public use
Class VI ROW: Old Bailey Road	1	11	9	N	Y	n/a	general public use
Class VI ROW: Old Bailey Road	1	22	5.2	N	N	n/a	general public use
Class VI ROW: Old Bailey Road	1	41	2.5	N	Y	n/a	general public use
Class VI ROW: Old Bailey Road	1	42	2.1	N	Y	n/a	general public use
Class VI ROW: Old Bailey Road	1	43	21.5	N	Y	n/a	general public use

Class VI Old Concord Road

Class VI Old Concord Road begins at its intersection with Fox Pond Road and travels south through the Soucook River State Forest, where it becomes River View Lane.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Old Concord Road	10	7	42.07	N	N	n/a	general public use
Class VI ROW: Old Concord Road	10	8	143.9	N	Y	n/a	general public use
Class VI ROW: Old Concord Road	11	4	5.3	N	N	n/a	general public use
Class VI ROW: Old Concord Road	19	14	42.5	N	N	n/a	general public use
Class VI ROW: Old Concord Road	19	15	36	Y	N	n/a	general public use
Class VI ROW: Old Concord Road	20	3	23	Y	N	n/a	general public use
Class VI ROW: Old Concord Road	20	62	19.5	Y	Y	n/a	general public use
Class VI ROW: Old Concord Road	20	74	5	N	Y	n/a	general public use
Class VI ROW: Old Concord Road	29	6	6.5	N	Y	n/a	general public use
Class VI ROW: Old Concord Road	29	7	37.91	Y	Y	n/a	general public use
Class VI ROW: Old Concord Road	29	8	1.8	N	Y	n/a	general public use
Class VI ROW: Old Concord Road	29	9	1.1	N	Y	n/a	general public use
Class VI ROW: Old Concord Road	29	10	0.72	N	Y	n/a	general public use
Class VI ROW: Old Concord Road	29	12	0.76	N	Y	n/a	general public use
Class VI ROW: Old Concord Road	29	16	6.2	N	Y	n/a	general public use
Class VI ROW: Old Concord Road	29	27	4.92	N	Y	n/a	general public use
Class VI ROW: Old Concord Road	29	87	27	N	N	n/a	general public use
Class VI ROW: Old Concord Road	29	89	1.7	N	N	n/a	general public use
Class VI ROW: Old Concord Road	29	99	2.0	N	N	n/a	general public use

Class VI Piper Hill Road Segment

The Class VI segment of Piper Hill Road begins at its intersection with Currier Road and spans 2000 feet south over hilly terrain.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Piper Hill Rd. Seg.	32	10	10.03	N	N	n/a	general public use
Class VI ROW: Piper Hill Rd. Seg.	32	9	20.02	Y	N	n/a	general public use
Class VI ROW: Piper Hill Rd. Seg.	32	8	13.49	Y	N	n/a	general public use
Class VI ROW: Piper Hill Rd. Seg.	32	7	12.32	N	N	n/a	general public use
Class VI ROW: Piper Hill Rd. Seg.	32	6	8.4	Y	Y	n/a	general public use
Class VI ROW: Piper Hill Rd. Seg.	32	15	5.04	N	Y	n/a	general public use
Class VI ROW: Piper Hill Rd. Seg.	31	5	48	Y	Y	n/a	general public use
Class VI ROW: Piper Hill Rd. Seg.	31	6	10.3	N	Y	n/a	general public use

Class VI Pleasant Street Extension Segment

Pleasant Street Extension begins about 2000 feet west of Route 129. It continues west to Clough Hill Road.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Pleasant St. Ext. Seg	24	13	34.35	Y	Y	n/a	general public use
Class VI ROW: Pleasant St. Ext. Seg	24	14	68.87	Y	Y	n/a	general public use
Class VI ROW: Pleasant St. Ext. Seg	24	15	5.7	N	Y	n/a	general public use
Class VI ROW: Pleasant St. Ext. Seg	24	25	2.13	N	N	n/a	general public use
Class VI ROW: Pleasant St. Ext. Seg	33	4	95	N	N	n/a	general public use
Class VI ROW: Pleasant St. Ext. Seg	33	5	21	Y	Y	n/a	general public use
Class VI ROW: Pleasant St. Ext. Seg	33	6	62.17	Y	Y	n/a	general public use
Class VI ROW: Pleasant St. Ext. Seg	33	38	1.0	N	N	n/a	general public use

Class VI Range Road

Class VI Range Road begins at the end of Wyman Road and travels north-south to Berry Road.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Range Road	57	7	63	Y	Y	n/a	general public use
Class VI ROW: Range Road	58	1	5	N	Y	n/a	general public use
Class VI ROW: Range Road	58	9	6.79	N	Y	n/a	general public use
Class VI ROW: Range Road	58	23	0.93	N	N	n/a	general public use
Class VI ROW: Range Road	58	24	0.92	N	Y	n/a	general public use
Class VI ROW: Range Road	58	93	0.92	N	N	n/a	general public use
Class VI ROW: Range Road	58	116	5.95	N	Y	n/a	general public use
Class VI ROW: Range Road	58	120	9.73	Y	N	n/a	general public use

Class VI Sanborn Road

Class VI Sanborn Road spans between Upper City Road and Ring Road, adjacent to the Osborne Wildlife Management Area, Sanborn Family Trust, and Yeaton conservation easements. It passes over wetlands and intermittent streams.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Sanborn Road	57	7	63	Y	Y	n/a	general public use
Class VI ROW: Sanborn Road	58	1	5	N	Y	n/a	general public use
Class VI ROW: Sanborn Road	58	9	6.79	N	Y	n/a	general public use
Class VI ROW: Sanborn Road	58	23	0.93	N	N	n/a	general public use
Class VI ROW: Sanborn Road	58	24	0.92	N	Y	n/a	general public use
Class VI ROW: Sanborn Road	58	93	0.92	N	N	n/a	general public use
Class VI ROW: Sanborn Road	58	116	5.95	N	Y	n/a	general public use
Class VI ROW: Sanborn Road	58	120	9.73	Y	N	n/a	general public use

Class VI Shaw Road

Shaw Road begins at the Canterbury Town Line and continues east to Lower Ridge Road.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Shaw Road	53	5	2.4	N	Y	n/a	general public use
Class VI ROW: Shaw Road	53	6	4.6	Y	Y	n/a	general public use
Class VI ROW: Shaw Road	54	32	7.9	N	Y	n/a	general public use
Class VI ROW: Shaw Road	62	1	27	Y	N	n/a	general public use
Class VI ROW: Shaw Road	62	2	53.5	Y	N	n/a	general public use
Class VI ROW: Shaw Road	63	2	59	Y	Y	n/a	general public use
Class VI ROW: Shaw Road	63	7	59	Y	N	n/a	general public use
Class VI ROW: Shaw Road	63	9	104	Y	Y	n/a	general public use
Class VI ROW: Shaw Road	63	23	10	Y	N	n/a	general public use
Class VI ROW: Shaw Road	64	1	36.5	Y	N	n/a	general public use
Class VI ROW: Shaw Road	64	2	8.6	N	N	n/a	general public use
Class VI ROW: Shaw Road	64	3	18	N	N	n/a	general public use

Class VI Taylor Hanes Road

Class VI Taylor Hanes Road stretches between Lower Ridge Road and Bumfagon Road and travels through wetlands and streams.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Taylor Hanes Road	52	2	19	Y	Y	n/a	general public use
Class VI ROW: Taylor Hanes Road	52	4	2	Y	Y	n/a	general public use
Class VI ROW: Taylor Hanes Road	52	7	89.29	N	Y	n/a	general public use
Class VI ROW: Taylor Hanes Road	52	11	28	N	N	n/a	general public use
Class VI ROW: Taylor Hanes Road	52	14	1.9	N	Y	n/a	general public use
Class VI ROW: Taylor Hanes Road	52	16	5.6	N	N	n/a	general public use
Class VI ROW: Taylor Hanes Road	52	17	57	N	N	n/a	general public use

Class VI Tote Road Segment

The Class VI segment of Tote Road begins about 500 feet east of its beginning on Route 106 and continues until its end at Pickard Brook.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Tote Road Segment	49	72	80.3	N	Y	n/a	general public use

Class VI Trap Road

Class VI Trap Road is located on the east side of Ricker Road in the southeastern corner of the Town and travels east over the Pembroke Town Line.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Trap Road	1	1	27	Y	N	n/a	general public use
Class VI ROW: Trap Road	1	9	7.5	N	Y	n/a	general public use

Class VI Unnamed ROW off of Hollow Route Road

This Class VI ROW begins north of the intersection of Hollow Route Road and Storrs Drive. It is approximately 2,500 feet long and travels into Canterbury.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Unnamed-Hollow Rt	60	17	48.95	Y	Y	n/a	general public use
Class VI ROW: Unnamed-Hollow Rt	60	41	2.5	N	Y	n/a	general public use
Class VI ROW: Unnamed-Hollow Rt	60	42	3.8	N	Y	n/a	general public use
Class VI ROW: Unnamed-Hollow Rt	60	58	1.0	Y	N	n/a	general public use
Class VI ROW: Unnamed-Hollow Rt	60	63	2.43	N	N	n/a	general public use
Class VI ROW: Unnamed-Hollow Rt	60	64	2.72	N	N	n/a	general public use
Class VI ROW: Unnamed-Hollow Rt	60	65	5.85	Y	N	n/a	general public use
Class VI ROW: Unnamed-Hollow Rt	61	1	13.55	Y	Y	n/a	general public use

Class VI Unnamed ROW off of South Village Road

This Class VI ROW is located north of South Village Road's intersection with Wales Bridge Road. The ROW is less than 1,000 feet in length and it travels over level terrain.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Unnamed- S. Village	20	51	6.24	N	N	n/a	general public use
Class VI ROW: Unnamed- S. Village	20	56	2.21	N	Y	n/a	general public use

Class VI Voted Road

Voted Road begins at Mudgett Hill Road and travels west to White House Road.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Voted Road	59	6	4	N	Y	n/a	general public use
Class VI ROW: Voted Road	59	7	27.41	Y	Y	n/a	general public use
Class VI ROW: Voted Road	59	23	5.9	N	Y	n/a	general public use
Class VI ROW: Voted Road	59	26	9.1	Y	N	n/a	general public use
Class VI ROW: Voted Road	59	24	37	N	N	n/a	general public use
Class VI ROW: Voted Road	59	37	6.7	N	N	n/a	general public use
Class VI ROW: Voted Road	59	13	5.8	N	N	n/a	general public use
Class VI ROW: Voted Road	59	33	3.4	N	Y	n/a	general public use
Class VI ROW: Voted Road	59	21	2.8	N	Y	n/a	general public use
Class VI ROW: Voted Road	59	19	1.61	N	Y	n/a	general public use
Class VI ROW: Voted Road	59	17	1.6	N	Y	n/a	general public use
Class VI ROW: Voted Road	59	36	17.3	N	Y	n/a	general public use
Class VI ROW: Voted Road	59	40	3.4	N	N	n/a	general public use
Class VI ROW: Voted Road	59	15	2.7	N	Y	n/a	general public use
Class VI ROW: Voted Road	59	20	0.28	N	Y	n/a	general public use
Class VI ROW: Voted Road	59	27	1.04	N	Y	n/a	general public use
Class VI ROW: Voted Road	59	14	3.06	N	Y	n/a	general public use

Class VI White House Road Segment

This Class VI segment begins at its intersection with Voted Road and travels north for several hundred feet into Canterbury.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: White House Rd Seg	59	7	27.41	Y	Y	n/a	general public use

Class VI Wiggins Road

Wiggins Road spans between Route 129 and Bear Hill Road, through wetlands and over Bee Hole Brook.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Wiggins Rd	21	35	47	N	N	n/a	general public use
Class VI ROW: Wiggins Rd	21	49	5.2	N	Y	n/a	general public use
Class VI ROW: Wiggins Rd	21	38	10.4	N	Y	n/a	general public use
Class VI ROW: Wiggins Rd	21	23	11	Y	N	n/a	general public use
Class VI ROW: Wiggins Rd	21	24	1.5	N	N	n/a	general public use
Class VI ROW: Wiggins Rd	21	41	12.6	Y	N	n/a	general public use
Class VI ROW: Wiggins Rd	21	34	12.67	Y	Y	n/a	general public use
Class VI ROW: Wiggins Rd	21	46	2.01	N	Y	n/a	general public use
Class VI ROW: Wiggins Rd	12	10	206.11	N	N	n/a	general public use
Class VI ROW: Wiggins Rd	13	1	32.88	Y	N	n/a	general public use

Class VI William Maxfield Drive

William Maxfield Drive begins at the Canterbury Town Line and travels east to Old Shaker Road. It travels over somewhat hilly terrain through the Hoit Marsh Wildlife Management Area and the Maxfield Lot owned by the Town of Loudon.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Class VI ROW: Wm. Maxfield Dr	56	5	145	N	N	n/a	general public use
Class VI ROW: Wm. Maxfield Dr	56	4	14	Y	N	n/a	general public use
Class VI ROW: Wm. Maxfield Dr	56	8	27	N	N	n/a	general public use
Class VI ROW: Wm. Maxfield Dr	56	2	6.38	N	Y	n/a	general public use
Class VI ROW: Wm. Maxfield Dr	56	7	1.0	N	N	n/a	general public use

Scenic, Abandoned and Discontinued Roads

Other types of roads also can provide a pleasant recreational experience. Scenic roads are those which have been officially designated as such at Town Meeting. Typically, what clearing or development-type activities that occur along the sides of scenic roads are limited in the zoning ordinance, such as not allowing the removal of stone walls, or specifying how many trees can be cut in any given section. Fully discontinued roads are roads that were voted at Town Meeting to revert to the abutting landowners, in effect becoming private roads. These are the roads that we will focus on in this Plan. A different category of discontinued roads exist, where the road is voted at Town Meeting as "discontinued subject to gates and bars", essentially becoming a Class VI road to which the public still has access. Since the road is Class VI, this type of road was been addressed in the previous section and will not be discussed here. Abandoned roads are those public roads which have fallen into disuse and that the Town have neglected to maintain, thus becoming Class VI by default. Technically, abandoned roads are still Town roads and the public has the right to pass, but since they have lain dormant for so long, approval by the abutting landowners should be obtained before using abandoned roads for recreational or other purposes.

The following is a partial list of those roads the Trails Steering Committee thought were scenic, abandoned, and discontinued. It is important to note that of the three different types of roads in this section, only scenic roads allow true public access. For consideration of an open space trail network, scenic, discontinued, and abandoned roads have the potential to serve as linkages. The Trails Steering Committee is inventorying the assets of the Town to the best of their ability and strongly recommends that further research be conducted into the statuses of all of the roads listed below. Where there is any question as to usage, abutting landowners should be contacted for permission.

Scenic Roads - Currier Road

The scenic portion of Currier Road extends from Clough Hill Road to its intersection with the Soucook River. The road is lined with stone walls and trees and sits at the top of a plateau. The parcels along Currier Road were not inventoried since Currier Road is a Class V maintained public right-of-way.

Discontinued Road- Captain French Road

Captain French Road was closed at Town Meeting in March 1988. It travels between Route 129 and Blake Road.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Discontinued Road: Captain French Road	27	1	152	Y	Y	n/a	none
Discontinued Road: Captain French Road	26	7	164	Y	Y	n/a	none
Discontinued Road: Captain French Road	27	4	7	Y	N	n/a	none
Discontinued Road: Captain French Road	27	2	36	Y	N	n/a	none
Discontinued Road: Captain French Road	36	14	114	Y	Y	n/a	none
Discontinued Road:	36	1	72	Y	Y	n/a	none

Captain French Road							

Discontinued Road- Pitman Road

Pitman Road was voted discontinued, subject to gates and bars at Town Meeting in March 1988. It spans between Ridge Road and Blake Road.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Discontinued Road: Pitman Road	36	2	34	Y	Y	n/a	general public use
Discontinued Road: Pitman Road	36	4	13.35	Y	Y	n/a	general public use
Discontinued Road: Pitman Road	36	18	11	Y	Y	n/a	general public use
Discontinued Road: Pitman Road	36	12	44.3	Y	Y	n/a	general public use

Utility Corridor Easements

Utility easements are granted by private property owners to allow the placement of transmission lines across their property and to grant access for maintenance of those lines. The easements are recorded in the Registry of Deeds. Individuals are currently using some of these utility corridors for recreation; however, landowner permission may not have been granted for such use by private citizens. Landowner permission should be obtained before any recreational users take advantage of these corridors. Utility easements are listed in this Plan because of their natural tendency, with wide, clear, and long avenues of travel, to become trails. Those columns which have neither a *Current Use* nor a *Building* listing, but which are marked by a "n/a", indicate the parcel is tax-exempt.

Although utility easements are considered rights-of-way, the right-of-way has not been granted to the public unlike other types of rights-of-way. There is one utility line corridor within Loudon.

Public Service of NH Powerline Easement Corridor – Gilmanton Town Line to Chichester Town Line

1

Currently, there are no powerlines in this corridor, which stretches from the Gilmanton Town Line to the Pittsfield Town Line. However, PSNH owns the rights to construct powerlines in this corridor if the need arises in the future. It has been included in this plan because of its potential recreational value.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
PSNH Easement: Gilmanton TL to Chichester TL	6	5	61	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	6	6	58	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	6	9	40	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	7	6	2.1	N	N	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	16	1	41.0	Y	N	PSNH	none - utility maintenance only
PSNH Easement:	16	4	55.1	Y	Y	PSNH	none - utility

Gilmanton TL to Chichester TL							maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	16	12	24.6	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	16	29	20	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	16	30	13.3	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	16	33	15.95	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	25	2	9.2	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	25	9	34	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	25	11	32	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	25	45	59			PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	34	2	61	N	N	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	34	3	23	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	34	8	2.13	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	34	9	2.81	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	34	10	2.77	N	N	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	34	15	7.7	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	43	5	36.96	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	43	6	1	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	43	7	14.98	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	43	10	60	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	43	16	2.02	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	52	7	89.29	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	52	22	21.82	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	53	8	20.41	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	61	5	430.07	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	62	2	53.5	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	62	3	85	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	64	1	36.5	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	64	3	18	N	N	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	65	1	111	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	65	2	75	N	N	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	65	5	5.6	N	N	PSNH	none - utility maintenance only

PSNH Easement: Gilmanton TL to Chichester TL	65	12	8	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	66	8	11.3	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: Gilmanton TL to Chichester TL	66	11	47	Y	N	PSNH	none - utility maintenance only

Public Service of NH Powerline Easement- Concord City Line to Chichester Town Line (2)

This corridor is fully constructed and operational and is informally used by residents as a trail despite the restrictions. The Loudon Trails Steering Committee encourages passive recreational users to obtain permission of landowners before using this powerline corridor and highly discourages motorized, non-winter uses.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
PSNH Easement: Concord CL to Chichester TL	5	1	76	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	5	2	52.2	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	5	4	102.33	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	13	3	40	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	14	2	117.5	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	21	3	6.24	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	21	4	1	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	21	5	0.75	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	21	6	4.5	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	21	7	9	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	21	56	83.16	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	22	2	3.4	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	22	3	2	N	N	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	22	7	5.4	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	22	8	13	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	22	9	2.7	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	22	13	2.8	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	22	14	5.2	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	22	15	1	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	22	31	340	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	22	32	12.5	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	22	33	5.1	N	Y	PSNH	none - utility maintenance only

PSNH Easement: Concord CL to Chichester TL	22	34	5.7	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	22	35	5	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	22	38	8.1	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	22	40	4.3	N	N	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	29	56	2.0	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	29	59	3.8	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	29	61	10	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	29	85	25	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	30	15	26.1	N	N	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	30	16	15.8	N	N	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	38	8	117.6	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	38	24	24.5	N	N	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	38	27	39	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	40	13	367.6	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	42	5	35	Y	N	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	42	20	0.7	Y	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	42	23	1.93	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	42	24	2.5	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	42	29	4.1	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	46	18	1.85	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	46	39	166	N	Y	PSNH	none - utility maintenance only
PSNH Easement: Concord CL to Chichester TL	47	1	31	Y	N	PSNH	none - utility maintenance only

III. INVENTORY OF EXISTING TRAILS

Two types of trails are being identified for this Plan: non-motorized and motorized. The trails listed in this chapter are being separated into one of these two groups for functional as well as organizational purposes. By inventorying both motorized and non-motorized trails, it can be determined if enough opportunities have been made available to both types of users. Although none of the non-motorized trails listed in this section have been officially designated at Town Meeting as Class A or B non-motorized trails, they are listed because the majority of these trails are readily used by the public for this type of recreational use. Some private trails require permission of the landowner before use. It is also known that there are several private trails within the Town that are not listed in the **NON-MOTORIZED TRAILS** section because landowners have not been contacted, or they have specifically requested that their trails not be listed. Techniques for talking with landowners and establishing trails, both non-motorized and motorized, are listed in the **IMPLEMENTATION MEASURES** chapter.

> The important limitation of the GPS within this Plan is its inability to correlate with the tax maps (see **Methodology** in the **INTRODUCTION**). Therefore, those trails indicated in the Plan with a GPS may or may not have the appropriate parcels listed. Additional field checking should be completed.

The trails identified in this section are referenced by a circled number, (0) which correlates to the **Existing Trail System Map** found at the back of this Plan. A summary chart entitled **Summary of Existing Trails and Rights-of-Way** is found at the end of this chapter. This chart is meant to provide, at a glance, the *Public Uses* for each trail and if each landowner has granted permission for using the trail on his or her property.

NON-MOTORIZED TRAILS

Non-motorized trails are those which are designed for pedestrian, cycling, or equestrian use during the warm months as well as cross-country skiing, snowshoeing, and dog-sledding during the winter.

Future editions of this Plan may include additional non-motorized trails. In preparation for this, a *Public Uses* column will note the restrictions of trails by the landowners. Note that some of the trails listed in the non-motorized section may be private trails where landowner permission has not been acquired for public use of these trails. They will be listed in the Plan with the intent to attempt, in the future, to acquire landowner permission for use of these trails.

> Non-Motorized Winter Trail Uses:
> cross-country skiing
> snowshoeing
> dog-sledding
> horse driving (carriage / sled)
>
> Non-Motorized Summer Trail Uses:
> walking / hiking
> mountain biking
> horseback riding
> roller-blading / skateboarding - (where permitted by municipal ordinance)

Public Trail – Recreational Fields (3)

The trail in the recreational field travels along relatively level terrain on the north side of the wetlands and pond contained within the field complex.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Public Trail: Recreational Fields	20	33	20.7	N	N	Town of Loudon	general public use

Private Trail – Sanborn Family Trust Property (4)

There are several trails located on the Sanborn Family Trust Property, an LCIP property. There is a conservation easement on the parcels of land constituting this property.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Management	Public Uses
Private Trail: Sanborn Family Trust Property	17	1	85	Y	Y	private	contact landowner
Private Trail: Sanborn Family Trust Property	17	2	259	Y	Y	private	contact landowner

MOTORIZED TRAILS

Motorized trails are typically considered those suitable for usage by all-terrain vehicles (ATV), four wheel-drive vehicles (4WD), snowmobiles, or motorbikes. Often times, motorized trails are posted to accommodate one or more of the different types of vehicles and not all of the types; also, not all motorized trails are suitable for non-motorized use because of the potential danger of multiple uses or because of landowner agreement. The *Public Uses* states the uses of the trail permitted by private landowners; all other uses require explicit permission by the landowners. When discussing existing trails, one or more groups holds the responsibility for maintaining these trails across private (or public) property. This group is identified in the *Maintenance* column.

Many of the recognized motorized trails within the Town are snowmobile trails organized and maintained by the Sno Shakers Snowmobile Club. Permission has been obtained from all landowners for winter snowmobile usage. For identification purposes, these trails are examined in segments between roadways.

Motorized Winter Trail Uses:
ATV'ing
snowmobiling

Motorized Summer Trail Uses:
motorbiking
ATV'ing
4WD'ing

New Hampshire Sno Shakers Snowmobile Club

Loudon's local trail group has done extensive trails work within the Town. Members contacted landowners about allowing access to their property, obtained the necessary agreements, constructed the trails with volunteer labor, and maintain the trails during the summer and winter months.

Because the Club has created and maintained these trails, noted below, the utmost respect should be given to the *Public Uses* of the trails.

The parcels listed below each trail segment were taken from the tax maps based upon the approximate location of the snowmobile trails. The Snowmobile Club has not verified whether or not these parcels are the exact ones for which they have signed landowners' permissions for winter snowmobile usage. The *Maintenance* column indicates who has taken responsibility for the maintenance and signage of the trail. Blank cells usually indicate discrepancies between the tax maps and the assessor's index. Because of their owners' inherent interest in an unmaintained roadway, Class VI abutting parcels have also been listed.

Snowmobile Trail Segment- Canterbury Town Line to Gilmanton Town Line (5)

This trail begins at the Canterbury Town Line and follows Shaw Road for almost a mile. Then it travels north, crossing Loudon Ridge Road, and continues north into Gilmanton.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Maintenance	Public Uses
Snowmobile Trail Seg: Can. TL to Gilmanton TL	62	1	27	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Can. TL to Gilmanton TL	62	2	53.5	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Can. TL to Gilmanton TL	63	2	59	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Can. TL to Gilmanton TL	63	7	59	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Can. TL to Gilmanton TL	63	9	104	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Can. TL to Gilmanton TL	63	12	98	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Can. TL to Gilmanton TL	63	16	2	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Can. TL to Gilmanton TL	63	17	20.54	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Can. TL to Gilmanton TL	63	29	41.3	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Can. TL to Gilmanton TL	64	1	36.5	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Can. TL to Gilmanton TL	64	2	8.6	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Can. TL to Gilmanton TL	64	3	18	N	N	NH Sno Shakers	winter use only

(6)

Snowmobile Trail Segment: Gilmanton Town Line to Pittsfield Town Line

This trail begins in Gilmanton and enters Loudon just east of Upper City Road. It continues south, crossing Lilly Road and into the Osborne Wildlife Management Area, and out of Loudon into Pittsfield.

Name	Map #	Lot #	Acres	Cur Use?	Bldg?	Maintenance	Public Uses
Snowmobile Trail Seg: Gil. TL to Pit. TL	9	1	54	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Gil. TL to Pit. TL	9	6	44.3	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Gil. TL to Pit. TL	9	9	112	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Gil. TL to Pit. TL	9	11	5.8	N	N	NH Sno Shakers	winter use only

Snowmobile Trail Segment: Voted Road to Taylor Haynes Road 7

This trail begins at Voted Road just east of its intersection with White House Road. It travels north parallel to the town line and crosses Mudgett Hill Road southeast of Storrs Drive. The trail branches off, one in the direction of the Canterbury Town Line, and the other continuing east along the Class VI portion of Gues Meadow Road. The trail then turns northeast, crossing Lower Ridge Road, and follows Class VI Taylor Hanes Road. The trail ends at the intersection of Taylor Hanes Road and Bumfagon Road.

Name	Map #	Lot #	Acres	Cur Use?	Bldg?	Maintenance	Public Uses
Snowmobile Trail Seg: Voted to T Haynes Rd	51	18	29	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	51	19	117.18	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	51	22	1.97	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	52	2	19	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	52	4	2	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	52	5	243.4	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	52	7	89.29	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	52	11	28	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	52	14	1.9	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	52	15	32	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	52	16	5.6	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	52	17	57	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	59	24	37	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	59	25	39	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	60	10	14.5	N	Y	NH Sno Shakers	winter use only

Snowmobile Trail Seg: Voted to T Haynes Rd	60	11	14.75	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	60	12	14	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	60	13	13.5	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	60	14	6.3	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	60	18	1.5	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	60	19	2.48	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	60	21	2	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	60	34	3.4	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	60	38	6.05	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	60	44	4.31	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	60	45	1	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	60	49	16	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	61	8	37	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Voted to T Haynes Rd	61	9	82.05	N	N	NH Sno Shakers	winter use only

8

Snowmobile Trail Segment: Chichester Town Line to South of Currier Road

This trail begins at the Chichester Town Line at the PSNH powerline corridor, which it follows for about 2000 feet. It travels south to Bear Hill Road, where it splits in two. One branch of this trail turns east back in to Chichester, and the other continues along Bear Hill Road, until Class VI Wiggins Road, which it follows west until it meets the powerline corridor. At the powerlines, this trail turns north and continues for more than a mile, until it ends about 1,000 feet from Currier Road.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Maintenance	Public Uses
Snowmobile Trail Seg: Chi. TL to S. of Currier Rd.	3	3	209	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Chi. TL to S. of Currier Rd.	4	8	108	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Chi. TL to S. of Currier Rd.	4	11	111.9	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Chi. TL to S. of Currier Rd.	4	12	111.69	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Chi. TL to S. of Currier Rd.	4	13	93	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Chi. TL to S. of Currier Rd.	5	4	102.23	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Chi. TL to S. of Currier Rd.	12	10	206.11	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Chi. TL to S. of Currier Rd.	13	1	32.88	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Chi. TL to S. of Currier Rd.	21	1	2	N	Y	NH Sno Shakers	winter use only

Snowmobile Trail Seg: Chi. TL to S. of Currier Rd.	21	10	21	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Chi. TL to S. of Currier Rd.	21	23	11	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Chi. TL to S. of Currier Rd.	21	24	1.5	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Chi. TL to S. of Currier Rd.	21	34	12.67	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Chi. TL to S. of Currier Rd.	21	35	47	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Chi. TL to S. of Currier Rd.	21	38	10.4	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Chi. TL to S. of Currier Rd.	21	39	10.2	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Chi. TL to S. of Currier Rd.	21	41	12.6	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Chi. TL to S. of Currier Rd.	21	46	2.01	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Chi. TL to S. of Currier Rd.	21	48	2.9	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Chi. TL to S. of Currier Rd.	21	49	5.2	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Chi. TL to S. of Currier Rd.	40	13	367.6	Y	N	NH Sno Shakers	winter use only

Snowmobile Trail Segment: Canterbury Town Line to PSNH Powerline Corridor

This trail begins at the Canterbury Town Line and follows Class VI William Maxfield Road through the Maxfield Lot and Hoit Marsh to Shaker Road. It crosses Shaker Road and travels southeast for about 1000 feet, at which point it turns east and travels towards Batchelder Road. After it crosses Batchelder Road, it travels southeasterly and crosses the powerline corridor. The trail continues on a course parallel to the powerlines, until about 2,000 feet east of Route 106, where the trail meets up with another trail. 9

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Maintenance	Public Uses
Snowmobile Trail Seg: Can. TL to PSNH PL Corr.	38	8	117.6	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Can. TL to PSNH PL Corr.	38	24	24.5	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Can. TL to PSNH PL Corr.	38	25	1.8	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Can. TL to PSNH PL Corr.	38	27	39	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Can. TL to PSNH PL Corr.	47	2	38	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Can. TL to PSNH PL Corr.	47	4	18.5	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Can. TL to PSNH PL Corr.	47	8	81	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Can. TL to PSNH PL Corr.	47	12	23.6	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Can. TL to PSNH PL Corr.	56	2	6.38	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Can. TL to PSNH PL Corr.	56	4	14	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Can. TL to PSNH PL Corr.	56	5	145	N	N	NH Sno Shakers	winter use only

Snowmobile Trail Seg: Can. TL to PSNH PL Corr.	56	8	27	N	N	NH Sno Shakers	winter use only

10

Snowmobile Trail Segment: Pembroke Town Line to PSNH Powerline Corridor

This trail begins at the Pembroke town line east of Route 106. It travels north, parallel to Route 106, until it turns west, when the trail intersects Route 106 just south of Wales Bridge Road. The trail then follows River View Lane west, crosses through the Soucook River State Forest, follows Old Concord Road and Fox Pond Road north and then crosses South Village Road. The trail stops at a junction of trails near the PSNH powerline corridor just east of where the powerline corridor crosses Route 106.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Maintenance	Public Uses
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	1	31	35.3	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	1	48	5.04	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	1	49	5.1	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	10	8	143.9	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	10	12	157.2	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	11	4	5.3	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	11	76	2.58	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	11	77	2.65	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	11	78	2.9	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	11	79	4.56	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	11	80	3.4	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	19	14	42.5	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	19	15	27.7	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	19	23	3.04	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	19	24	3.0	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	20	3	40.53	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	20	62	19.5	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	20	74	5	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	29	2	1	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	29	4	1.8	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	29	5	29.4	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	29	83		N	Y	NH Sno Shakers	winter use only

Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	29	84	6.0	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Pem. TL to PSNH PL Corr.	29	87	27	N	N	NH Sno Shakers	winter use only

11

Snowmobile Trail Segment: Tower Road to Concord City Line

This trail begins on Tower Road east of the Fire Tower and travels north to the wetlands south of School Street. At this point, the trail branches off and one branch continues north across School Street and the PSNH powerline corridor for about 1,000 feet until it meets up with another snowmobile trail. The other branch turns southwest, towards Hot Hole Pond, where it branches off again. One branch heads north towards Old Shaker Road, but stops about 1,000 feet south of Old Shaker Road, at which point it meets up with another trail. The other branch continues its course toward the Concord City Line.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Maintenance	Public Uses
Snowmobile Trail Seg: Tower Rd to Concord CL	37	2	108.2	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Tower Rd to Concord CL	38	7	168.3	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Tower Rd to Concord CL	38	8	117.6	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Tower Rd to Concord CL	46	18	1.85	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Tower Rd to Concord CL	46	20	0.7	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Tower Rd to Concord CL	46	22	11.03	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Tower Rd to Concord CL	46	23	1.93	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Tower Rd to Concord CL	46	24	2.5	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Tower Rd to Concord CL	46	30	7.5	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Tower Rd to Concord CL	46	39	166	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Tower Rd to Concord CL	47	1	31	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: Tower Rd to Concord CL	47	8	81	Y	Y	NH Sno Shakers	winter use only

12

Snowmobile Trail Segment: River View Lane to Oak Hill Fire Tower

This trail begins at River View Lane east of the Soucook River State Forest and travels southwest through the State Forest. West of the State Forest, it branches off and the southern branch travels to the Concord city line. The northern branch of this trail continues southwesterly, where it also branches off. One branch continues across Oak Hill Road and along Tower Road to the Oak Hill Fire Tower. The other branch travels south, to the Concord City line.

Name	Map #	Lot #	Acres	Curr Use?	Bldg?	Maintenance	Public Uses
Snowmobile Trail Seg: River View to Fire Tower	19	2	38	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: River View to Fire Tower	19	3	38	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: River View to Fire Tower	19	4	40.3	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: River View to Fire Tower	19	5	32.8	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: River View to Fire Tower	19	14	42.5	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: River View to Fire Tower	19	15	27.7	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: River View to Fire Tower	28	4	2.32	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: River View to Fire Tower	28	11	4	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: River View to Fire Tower	28	12	100	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: River View to Fire Tower	28	14	15.3	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: River View to Fire Tower	28	24	2.1	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: River View to Fire Tower	28	25	68.2	Y	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: River View to Fire Tower	28	26	5.3	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: River View to Fire Tower	28	33	0.9	N	N	NH Sno Shakers	winter use only
Snowmobile Trail Seg: River View to Fire Tower	28	36	33.8	Y	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: River View to Fire Tower	37	1	2.06	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: River View to Fire Tower	37	2	108	N	Y	NH Sno Shakers	winter use only
Snowmobile Trail Seg: River View to Fire Tower	37	3	150	Y	N	NH Sno Shakers	winter use only

SUMMARY OF EXISTING TRAILS AND RIGHTS-OF-WAY

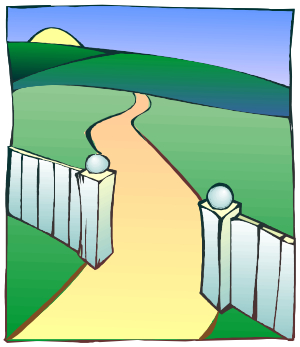
This graphical summary provides a snapshot of the previous two chapters and can be used as a guide to the **Existing Trail System Map**. The *Management* column indicates who has taken responsibility for the maintenance and/or security of the trail or right-of-way. This summary chart does not endorse the use of any of the listed trails or rights-of-way; instead it is a compilation of the known trails within Town that may be conducive to public use with proper landowner permission (see *Landowner Permission Obtained* column). Careful consideration

should be given as to whether or not a landowner has given permission for use of their land before attempting to use a trail.

Existing Trails and Rights-of-Way (ROW)

Name	Map Symbol	Public Uses	Management	Landowner Permission Obtained
Class VI ROW: Batchelder Road Segment		general public use	n/a	no
Class VI ROW: Bear Hill Road Segment		general public use	n/a	no
Class VI ROW: Beck Road Segment		general public use	n/a	no
Class VI ROW: Bee Hole Road Segment		general public use	n/a	no
Class VI ROW: Brown's Lane		general public use	n/a	no
Class VI ROW: Flagg Road Segment		general public use	n/a	no
Class VI ROW: Fox Pond Road		general public use	n/a	no
Class VI ROW: Gues Meadow Road		general public use	n/a	no
Class VI ROW: Kenney Road Segment		general public use	n/a	no
Class VI ROW: Lesmerises Road		general public use	n/a	no
Class VI ROW: Lilly Road		general public use	n/a	no
Class VI ROW: Lovejoy Road Segment		general public use	n/a	no
Class VI ROW: North Village Road Segment		general public use	n/a	no
Class VI ROW: Oak Hill Drive		general public use	n/a	no
Class VI ROW: Old Bailey Road		general public use	n/a	no
Class VI ROW: Old Concord Road		general public use	n/a	no
Class VI ROW: Piper Hill Road Segment		general public use	n/a	no
Class VI ROW: Pleasant Street Extension Segment		general public use	n/a	no
Class VI ROW: Range Road		general public use	n/a	no
Class VI ROW: Sanborn Road		general public use	n/a	no
Class VI ROW: Shaw Road		general public use	n/a	no
Class VI ROW: Taylor Hanes Road		general public use	n/a	no
Class VI ROW: Tote Road Segment		general public use	n/a	no
Class VI ROW: Trap Road		general public use	n/a	no
Class VI ROW: Unnamed ROW off of Hollow Route Road		general public use	n/a	no
Class VI ROW:		general public use	n/a	no

Unnamed ROW off of South Village Road				
Class VI ROW: Voted Road		general public use	n/a	no
Class VI ROW: White House Road Segment		general public use	n/a	no
Class VI ROW: Wiggins Road		general public use	n/a	no
Class VI ROW: William Maxfield Drive		general public use	n/a	no
Scenic Road: Currier Road		general public use	n/a	no
Discontinued Road: Captain French Road		none	n/a	no
Discontinued Road: Pitman Road		none	n/a	no
PSNH Easement Corridor: Gilmanton TL to Chichester TL	1	none - utility maintenance only	PSNH	no
PSNH Easement Corridor: Conconrd CL to Chichester TL	2	none - utility maintenance only	PSNH	no
Public Trails: Recreational Fields	3	non-motorized uses only	Town of Loudon	contact landowner
Private Trail: Sanborn Family Trust Land	4	none	private	contact landowner
Snowmobile Trail Segment: Canterbury TL to Gilmanton TL	5	winter use only	NH Sno Shakers	yes - winter use only
Snowmobile Trail Segment: Gilmanton Town Line to Pittsfield Town Line	6	winter use only	NH Sno Shakers	yes - winter use only
Snowmobile Trail Segment: Voted Road to Taylor Haynes Road	7	winter use only	NH Sno Shakers	yes - winter use only
Snowmobile Trail Segment: Chichester Town Line to South of Currier Road	8	winter use only	NH Sno Shakers	yes - winter use only
Snowmobile Trail Segment: Canterbury TL to PSNH Powerline Corridor	9	winter use only	NH Sno Shakers	yes - winter use only
Snowmobile Trail Segment: Pembroke TL to PSNH Powerline Corridor	10	winter use only	NH Sno Shakers	yes - winter use only
Snowmobile Trail Segment: Tower Road to Concord City Line	11	winter use only	NH Sno Shakers	yes - winter use only
Snowmobile Trail Segment: River View Lane to Oak Hill FIre Tower	12	winter use only	NH Sno Shakers	yes - winter use only



IV. PROPOSED OPEN SPACE TRAIL SYSTEM

The Town of Loudon has a well-established snowmobile network and several hundred acres of conservation land. In addition, several Class VI roads are currently used as recreational trails. Loudon is also fortunate to have several important bodies of water and wetlands, including the Soucook River, Sanborn Pond, and the Hoit Marsh. Coupled with areas targeted for future protection from development and trail linkages, as recommended in this chapter, an active open space trail system serving to protect and to provide recreational opportunities can become a reality for the residents of the Town.

An examination of the existing trail system has led to a variety of trail types and permitted uses of the trails/rights-of-way. Trails are found on private land and public land; some trails are currently used without permission and some are used with permission; some are maintained and some are overgrown. The Town has an unprecedented opportunity to work with the creator and maintainer of the existing snowmobile trails, the Sno Shakers Snowmobile Club, as well as the opportunity to work with representatives of the Low State Forest to tie into existing trail networks.

Class VI roads could be considered "pre-existing" trails in a sense and can help form the foundation of an open space trail system. A next step could be to designate an existing trail or right-of-way (such as a Class VI Road) as Class A or B, through a vote at Town Meeting. Although this would officially recognize a trail and gives certain benefits, a designation reduces or eliminates some rights of abutters and permanently removes the Class VI status of an existing road. See the IMPLEMENTATION MEASURES chapter for more information.

The **Proposed Open Space Trail System Map** gives a visual representation of where current trails lie as well as proposed linkages to the existing trails. Thirteen specific linkages to trail segments mentioned in the previous section, new trails, or areas to protect from development have been recommended. It is imperative that respect and privacy be given to private landowners and that a cooperative relationship is established between the Town and these landowners. The **circled numbers** on the map denote existing trails and the **squared letters** indicate proposed trail linkages. Cooperative relationships with the landowners of all these parcels should be fostered in order to reach the objectives of this Plan.

This Section:
- Powerline Corridor
- Hoit Marsh WMA Land
- Northeast Corner Conservation Easements
- Conservation and Public Lands
- Class VI Roads
- Snowmobile Trails
- Summary of Proposed Open Space Trail System

The **Potential Trail Locations or Connections** chart, at the end of this chapter, shows at a glance the new trails recommended in this section. Although specific Recommendations are later identified at the end of the following sections, the General Recommendations are designed to be among the first considered for action by the Town.

General Recommendations of Open Space Trail System Plan

General Recommendation:	Establish a permanent Trails Committee, comprised of various interests within Town, in order to oversee the maintenance of any trails that the Town wants to establish and to begin initiating contact with landowners of existing and proposed trails and easements.
General Recommendation:	Adopt this Open Space Trail System Plan as a sub-element of the updated Master Plan.
General Recommendation:	Work with the area snowmobile clubs to learn how to approach landowners and to enter into a cooperative trail creation and maintenance relationship.
General Recommendation:	Educate the landowners of parcels under current use, particularly owners of those parcels without buildings on them, of the benefits of conservation easements.
General Recommendation:	Pursue appropriate Town-owned parcels as permanent Town Forests or Town Parks through Town Meeting (see APPENDIX A).
General Recommendation:	Gain public support by holding a series of public educational sessions about land protection, stewardship, what the Conservation Commission and Trails Committee do, and about this Open Space Trail System Plan. Alternatives include writing a series of news articles, writing and distributing flyers, or holding one-on-one meetings with landowners.
General Recommendation:	Pursue grant funds to help meet the Recommendations of this Plan.
General Recommendation:	Publicize the public trails within Town by publishing a brochure, creating a trail-specific map series, or by holding special events.
General Recommendation:	Amend the Land Development Regulations (for major subdivisions) to encourage developers to donate easements or land and to require construction of trails on properties near existing or proposed trail networks.
General Recommendation:	Review the Zoning Ordinance and Subdivision and Site Plan Review Regulations on how Recommendations may be implemented by the Town.
General Recommendation:	Designate any trail which the Town wants to promote as a "Town" trail as a Class A or Class B trail (see IMPLEMENTATION MEASURES).
General Recommendation:	Recommend to the Board of Selectmen that all Class VI roads should be retained by the Town as public rights-of-way and not returned to abutting landowners.

POWERLINE CORRIDOR

The powerline corridor from the Warner Town Line and Old Warner Road would require heavy excavation to remove its many boulders and rocks. Although neighbors use portions of the corridor for bird and wildlife observation, the corridor itself is purported to be difficult even for foot traffic and the severe elevation changes make for an arduous, uninteresting journey for most people.

Powerline easements are granted by landowners to the utility company, in Loudon, PSNH, for maintenance purposes only. Permission is not granted for any public use of the right-of-way without explicit permission by the landowners that own the land upon which the corridor crosses. Because of the condition of this corridor, at this time there are no recommendations for public use of this area.

Recommendations for the Powerline Corridor

1 2

Recommendation: Work with PSNH and private landowners to investigate the feasibility of establishing recreational trails along the powerline corridors in the future.

HOIT MARSH WMA LAND

The Hoit Marsh Wildlife Management Area is located in the southwest corner of Town, encompassing the Hoit Marsh and adjoining the Town of Loudon's Maxfield Lot. Class VI William Maxfield Drive passes through the area to the Canterbury border and could provide an opportunity for an across-the-border trail. The road is actively used as a snowmobile trail in the wintertime. Such an opportunity should be investigated since it could become an important recreational destination in the future.

Recommendations for the Hoit Marsh WMA Land

Recommendation:	Work with Hoit Marsh WMA representatives to document any existing trails in the WMA and to raise public awareness of recreational trails and parks.
Recommendation:	Promote William Maxfield Drive as a means of gaining access to the Hoit Marsh WMA and create a parking area off the side of the road in anticipation of a future public trail system in the WMA.

NORTHEAST CORNER CONSERVATION EASEMENTS

Many opportunities exist in and around the land in conservation easements in the Northeast Corner of Town. The land has been permanently protected from development, and the landowners have shown a commitment to promoting conservation of their land as well as encouraging their neighbors to do the same. Intricate trail networks already exist on some of these lands, and with appropriate landowner permission, these lands could become an important part of Loudon's open space trail system.

There are several opportunities to link existing private trails on these lands to future trails on Town land, for which permission has yet to be obtained for usage (see also **Recommendations of Trails on Private Land**).

Recommendations for the Northeast Corner Conservation Easements

4

Recommendation:	Work with private landowners to document the existing trails in the northeast corner of town and to raise public awareness of recreational trails and parks.
Recommendation:	Offer to help maintain some of the existing trails by becoming "trail stewards."
Recommendation:	Have access for 3-4 cars and have a check in with private landowners before use at Sanborn Pond.

CONSERVATION AND PUBLIC LANDS

Trails on Conservation and Public Land

The Town owns several parcels of land, few of which are permanently protected from development. The Town needs to consider what it wants to do with each parcel; some may be more valuable to keep for conservation purposes and others are best suited for resale.

There are several opportunities to link future trails on land owned by the Town to existing private trails for which permission has yet to be obtained for usage (see also **Recommendations of Trails on Private Land**).

Recommendations of Trails on Conservation and Public Lands

3 B F M

Recommendation: B	Approach landowner of landlocked parcel adjacent to John Bachelder Town Forest for purchase or right-of-way agreement for the trail to Bumfagon Swamp.
Recommendation: B	Leave enough room for a parking area on the Route 129 parcel.
Recommendation: F	Establish a recreational trail in the Town of Loudon Parcel on Route 129.
Recommendation: M	Encourage the use of the Oak Hill Fire Tower Trail to the City of Concord's existing trail system on Oak Hill.

CLASS VI ROADS

Class VI roads are still owned by the Town, although many now appear no bigger than footpaths. Because of their limited use and Town ownership, these roads might be utilized by ATVs and motorbikes as well as by pedestrians and equestrians.

Due to the nature of Class VI roads, they present the easiest conversion to trails; the Town owns each of the roads despite their unmaintained status and the roads already follow a course which leads to a destination. However, research needs to be conducted to ascertain if any of the Class VI roads had been voted as permanently discontinued at any past Town Meeting, in which case the road would legally no longer exist. For more information on Class VI roads, please refer to the IMPLEMENTATION MEASURES chapter.

Recommendations of Class VI Roads

Recommendation:	Designate as Class A or Class B trails the following Class VI roads, Wiggins Road, William Maxfield Drive, Shaw Road, Taylor Hanes Road, Flagg Road, Flagg Hole Road, and Sanborn Road (the upper city), within Town by working with abutting landowners (see IMPLEMENTATION MEASURES).
Recommendation:	Work with abutting landowners to share maintenance and monitoring duties of the trails or Class VI roads being used as trails.
Recommendation:	Conduct research to ascertain if any of the Class VI roads have been voted at Town Meeting as permanently discontinued.
Recommendation:	Recommend to the Board of Selectmen that all Class VI roads should be retained by the Town as public rights-of-way and not returned to abutting landowners (see also **General Recommendations**).

SNOWMOBILE TRAILS

Many local trails follow along Class VI or V roadways. The wide and maintained winter snowmobile trails within Loudon are an essential link to establishing summer pedestrian and equestrian recreational use. Warm weather usage could include hiking, mountain biking and horseback riding, or where appropriate, motorbike or ATV usage.

These trails have been created by the volunteer labor of the Sno Shakers Snowmobile Club, who obtained landowner permission for each portion of the trail, constructed the trails, and maintain the trails. Respect for the trail and the landowner should be given when using these trails for winter use; if landowner permission is granted for summer use, the same respect should be given.

Recommendations of Snowmobile Trails

5 6 7 8 9 10 11 12

Recommendation:	Work with the Sno Shakers Snowmobile Club and private landowners to gain permission to use the snowmobile trails as year-round recreational trails.
Recommendation:	Work with the Sno Shakers Snowmobile Club to monitor and/or maintain snowmobile trails that are available for public summer use.
Recommendation:	Work with the snowmobile clubs from abutting towns to monitor and/or maintain those snowmobile trails that travel into Gilmanton, Pembroke, Concord, Canterbury, Chichester, or Pittsfield which are available for public summer use.

POTENTIAL TRAILS OR TRAIL LINKAGES ON PRIVATE LAND

There are many miles of existing private trails, not active snowmobile trails, in Loudon that network over the southwestern half of Town. Landowners have not been consulted for their permission to allow the public to use these trails, so they have not been incorporated as private trails within this Plan. However, many of them are significant enough to merit pursuit of landowner permission because of their value to an open space network. One private trail has been inventoried in this Plan because of landowner cooperation; it is indicated by a **circled number**.

Many potential trail linkages from existing or proposed trails on public land cross onto private land, and permission should be sought when undertaking the incorporation of the following proposed private trails into Loudon's Open Space Trail System network. These trails are indicated by the **squared letters**.

In addition, many private roads or long, gravel driveways have potential to serve as linkages with appropriate permission of landowners.

Recommendations of Potential Trails or Trail Linkages on Private Land

A B C D E

Recommendation: A	Research the feasibility of a trail connector of snowmobile trails at Gues Meadow Road and south of Currier Road.
Recommendation: B	Research the feasibility of a trail connecting the public/private snowmobile trail on Taylor Hanes Road with Bachedler Town Forest and the Town Forest on Route 129.
Recommendation: C	Research the feasibility of a trail connecting the Sanborn Family Trust Trails to Pleasant Street.
Recommendation: D E	Research the feasibility of a trail connecting the snowmobile trail along PSNH powerline corridor to Pleasant Street and to the Town of Loudon Parcel on Route 129.

SUGGESTED AREAS TO PROTECT FROM DEVELOPMENT

As a matter of recreational value, aesthetics, and practicality, key areas to consider when contacting landowners for conservation easements will include those large parcels adjacent to water bodies which are also convenient to roadway access. Other areas that hold irreplaceable value are mountains, hills, and scenic viewsheds.

Recommendations of Areas to Protect from Future Development

G H I J K L

Recommendation:	Encourage general promotion and retention of open farmlands, working farms, and woodlands.
Recommendation: G	Research the potential for protection of the Rocky Pond/ Shaw Road area.
Recommendation: H	Research the potential for protection of the Bachelder Town Forest/Sanborn Pond area.
Recommendation: I	Holt's Pond is of particular importance and the owner has been approached for an easement.
Recommendation: J	Research the potential for protection of the Bog Pond Wetlands and Crooked Pond area.
Recommendation: K	Research the potential for protection of the Hunting Swamp area.
Recommendation: L	Research the potential of creating a 150 foot buffer along the shoreline of the Soucook River, beginning at Currier Road and ending at the Pembroke Town Line.

SUMMARY OF PROPOSED OPEN SPACE TRAIL SYSTEM

A series of detailed Recommendations have been proposed in order to reach the third goal of the Plan, which is to "Provide recommendations on how to obtain the linkages and maintain a trail system". Those Recommendations work toward retaining the trail and land resources that the Town already has as well as summarizing the potential of an open space trail system by linking the existing with the proposed.

They can be viewed on **Map 5, Proposed Open Space Trail System:**

Potential Trail Locations or Connections

Name	Map Symbol	Public Uses	Management	Landowner Permission Obtained
Private Trail to Link Snowmobile Trails at Gues Meadow Road and South of Currier Road	A	to be determined	to be determined	no
Public/ Private Trail Linking Snowmobile Trail on Taylor Hanes Roadd with Batchelder Town Forest and Town Forest on Route 129	B	to be determined	to be determined	no
Private Trail Linking Sanborn Family Trust Trails to Pleasant Street	C	to be determined	to be determined	no
Private Trail Linking Snowmobile Trail along PSNH Powerline Corridor to Pleasant Street	D	to be determined	to be determined	no
Private Trail Linking Proposed Trail D to Town of Loudon Parcel on East Side of Route 129	E	to be determined	to be determined	no
Public Trail Loop in Town of Loudon Parcel on Route 129	F	to be determined	to be determined	no
Proposed Open Space Protection of the Rocky Pond/ Shaw Road Area	G	to be determined	to be determined	no
Proposed Open Space Protection of the Bachelder Town Forest/ Sanborn Pond Area	H	to be determined	to be determined	no
Proposed Open Space Protection of the Holt's Pond/ Currier Road Area	I	to be determined	to be determined	no
Proposed Open Space Protection of the Bog Pond Wetlands and Crooked Pond Area	J	to be determined	to be determined	no
Proposed Open Space Protection of the Hunting Swamp Area	K	to be determined	to be determined	no
Proposed Open Space Protection of the Soucook River from Currier Rd to Concord CL	L	to be determined	to be determined	no
Promotion of Oak Hill Fire Tower Trail to the Existing Concord Trails	M	non-motorized, warm weather use only (Concord)	City of Concord and Loudon Conservation Commission	yes

In order to make the vision a reality, practical methods will need to be employed. Property ownership is an emotional issue; concerns about privacy, liability, and damages are justified. Implementation of the PROPOSED OPEN SPACE TRAIL SYSTEM can be accomplished through creating good relations with people, educating landowners, and having a dedicated core of people who believe that Loudon will be a better place to live and raise children if rural character is preserved.

V. IMPLEMENTATION MEASURES

After the inventorying phase and recommendation phase of a plan follows what is perhaps the most difficult and time-consuming aspect of any plan or study - implementation. All of the good ideas and worthy efforts spent producing a plan will be put to the test when attempting to get the public to "buy into" what the plan is "selling".

This Open Space Trail System Plan is no different. However, the ideas presented in the Plan may be even more challenging to implement due to its reliance on the cooperation of private landowners. Each identified trail itself is host to at least 10 private property owners; when considering the proposed open space trail system as a whole, the prospect of obtaining permission from all landowners can be daunting. The challenge to remember is that all good things take time to build; creating a trail system will require patience and perseverance.

Many different factors and techniques need to be considered when building an open space trail system. In this section, practical suggestions for implementing the recommendations in the Plan are shared; also, sensitive issues such as landowner liability and trails management are discussed in order to give a wholistic view of the Open Space Trail System Plan. The accompanying APPENDIX A-C offers sample forms and agreements as well as the specific citations from the NH Revised Statutes Annotated (RSAs) which are pertinent to the success of this Plan. In addition, Resources References are listed to help with the implementation of the Plan and to provide further guidance along the way.

The authors, producers, editors, and reviewers of this Open Space Trail System Plan stress that although much research has gone into the production of this Plan, it would be highly difficult to cover every detail required for certain situations. Where there are concerns to the legality of a procedure or explanation listed in the IMPLEMENTATION MEASURES chapter, an attorney should be consulted.

LANDOWNER PARTNERSHIPS

The ultimate key to the success of this Plan will be the communication to, and the cooperation and education of, landowners. Identifying the landowners of the parcel of interest is only a matter of looking up the information in the public records at the Town Hall. After determining the owner of a piece of land that would be suitable for a trail or for a conservation easement, he or she should be approached by a representative of an established group, such as a member of a permanent Trails Committee of the Town, who can answer owner questions and help the owner feel comfortable with the issues that will arise. In some cases, a public or non-profit group will own the parcel. Although many of the same principles listed below will pertain to a partnership with a public organization, the explanations of landowner partnerships in this Plan are more geared toward the concerns of private landowners.

The following sections cover the most frequently addressed items in conservation and recreation.

Landowner Liability

Rightfully, the first question or concern that a landowner usually has deals with the issue of liability. Although many people would be willing to open parts of their land to the public, the liability issue is one of the major stumbling blocks that prevents public use. What if they open their land for public use and an incident occurs? This is a valid question that must be answered to the landowner's satisfaction. If at any time there are concerns that the representative cannot answer satisfactorily, independent counsel can be sought through the municipality's attorney or the NH Municipal Association if the municipality has questions; if the landowner has questions, they can be answered through an examination of the NH Revised Statutes Annotated (RSAs), or by the landowner's own attorney.

The State of New Hampshire has developed incentives for those landowners whose land is already in current use (RSA 79-A:1) - an additional 20% discount in taxes can be taken if the property is opened to full public year-round recreational use (RSA 79-A:4, II).

Because New Hampshire is a strong supporter of recreation and recognizes the significant part it plays in our State's economy, there are several mechanisms in place to protect the landowner when he or she opens their land for public recreational use:

1. The State of New Hampshire has adopted several laws that protect a landowner from being held liable from injury. These provisions are called "Duty of Care" (RSA 212:34), where if a landowner opens the land for recreational purposes and *does not charge a fee* for such a use, they "owe no duty of care to keep such premises safe for entry or use by others". The exceptions to this law are if the landowner maliciously causes injury; fails to warn of dangerous conditions (such as the potential for walking off a hidden ledge); requires payment for the use of the property; or is party to the actions of others causing injury to a third party because of lack of warning (a recreational user [hunter] injures a non-recreational user [surveyor]). However, it is always good practice of a landowner to keep their property in relatively safe condition regardless of whether the land is open to public use.

   Another statute, RSA 508:14, reinforces this language by again stating that any landowner, including municipalities and the State, "shall not be liable for personal injury or property damage in the absence of intentionally caused injury or damage" when that landowner opens up their land for "recreational purposes".

   It is important to note that although the statutes are in place to protect a landowner from liability, any individual has the right to sue any other individual; therefore, protection from *being* sued is not covered under law although our current laws inhibit such a plaintiff in such a liability case from *winning* the suit. Direct citations from the NH RSAs concerning landowner liability are contained in APPENDIX B.

2. A homeowner's insurance policy typically carries liability insurance that should cover injuries to persons or property. Landowners should check their policy to make sure it includes liability; as open space land does not always have a dwelling unit situated upon it, liability insurance may not be automatic. If a person is injured on a landowner's property and brings suit, the landowner files a claim with his insurance company, which takes care of the matter. For additional peace of mind, umbrella insurance policies could be purchased for any injuries or damages above and beyond the amount of the homeowner's policy limitations.

3. Owners of motorized recreational vehicles pay a registration fee which goes into the Off Highway Recreational Vehicle (OHRV) fund overseen by the NH Department of Resources and Economic Development. Recognized clubs must register their trails on an annual basis and participate in the OHRV Trails Program. Then, the landowners will be covered under the State's $2 million liability insurance policy. In addition, users of OHRV's recognize the hazards of such operation and under RSA 215-A:34, the liability protection to the landowner is re-enforced through "...each person who drives or rides an OHRV accepts, as a matter of law, the dangers inherent in the sport and shall not maintain an action against..." a landowner "...for any such injuries which result from such inherent risks, hazards, and dangers".

In reality, suits against property owners are few and far between in the context of injury or damages while recreating on private property. However, despite the safeguards to any landowner that opens his or her property up to the public for free recreational use, none of these laws protect a landowner from actually *being* sued. Steps must be undertaken to ensure that the landowners understand the liability implications before they enter into **Landowner Agreements** with or **Easement Donations** to the Town.

Landowner Agreements

This simplest type of agreement, aside from a verbal or "handshake" agreement, basically reads that the public is allowed certain types of access (hiking, skiing, motorbikes, etc) on a certain portion of the landowner's property during certain times of year. The agreement also indicates who has agreed to be responsible for the maintenance/enforcement of the property and/or the creation and maintenance/enforcement of the trail (usually the public Trails Committee, municipality designee, or other organization), and specifies for how long the agreement is valid (one summer, 2 years, 5 years, etc). An agreement such as this allows the landowner to consider the possibilities of a long-term partnership but withholds the commitment.

The decision of a landowner to open their land to the public is not one to be lightly made. There are several ways to make the decision "official", ranging from a temporary arrangement to one that is made in perpetuity. The easiest and most temporary agreement can be referred to as a "Landowner Agreement". A sample can be found in APPENDIX A.

Easement Donation and Purchase

If a landowner is keenly sensitive to conservation, they may decide that a conservation easement on their land will be in the best interests of themselves, their heirs, the land, the resources on the land, and their Town, and even their State. Although land is regularly transferred from one owner to another, an easement is a way to permanently place certain restrictions on the current and future use of that land.

> Consider how a parcel of land would fit into the framework of Loudon's open space trail system. Would it serve as conservation land, a park, or would a trail cross over it? Should someone from the Trails Committee talk to the landowner about an agreement or an easement?

Conservation easement research, development, negotiation, and acquisition can almost be considered a science by its own right! Many expert non-profit organizations exist to protect land permanently from development; one of the tools they use is a conservation easement. Easements can be donated to a municipality or land trust, or easements can be purchased by the municipality or land trust. They are monitored by the recipient to ensure that the conditions of the easement are being upheld.

Aside from the priceless conservation of open space and natural features, a significant benefit to the landowner can be the federal, state, and local tax savings that may be recognized. One advantage to the Town could result through the potential of opening some or all of the easement for public use; other advantages include less development pressure, and contiguous open space preservation blocks. Although each easement is tailored to the preferences of the landowner and the features of the land, the APPENDIX A contains a sample conservation easement.

An easement responsibility is not one to be taken lightly. Not only will the property, which will remain in private hands, need to be monitored by the Town or their designee (typically the Conservation Commission) on at least a yearly basis, but also the process involved in obtaining an easement donation or purchase is lengthy and can be complicated. Attorneys are frequently involved and are often recommended, particularly to help the property owner with tax implications and to ensure the safeguarding of their clients' interests. Although a landowner can be approached by the representative of the Trails Committee to talk about the advantages of a conservation easement on their property, many municipalities may wish to engage the services of a third party to help guide them through the process. For more information on obtaining conservation easements, please refer to your local land trust, those of which are within New Hampshire are listed in APPENDIX C.

Land Donation and Purchase

This option can be considered one of the easiest if looked at in terms of a municipality's land holdings. Parcels that have been taken for nonpayment of taxes, particularly those of several acres or more, can provide a solid means of recreational land (RSA 80:80, V). An important aspect to keep in mind is that since the Town can sell the property at any time, an easement should be placed on those properties which have special features so that they remain protected or that the trails remain available for public use. In addition, the Town has the right to use its property in the manner it sees fit; therefore if a parcel is more conducive to remaining in its natural state, an easement can be placed on it to ensure it remains that way in the event that it is targeted as a potential site for a town building or ball field. APPENDIX A contains a warrant article that permanently protects Town-owned land.

Private landowners can be approached to ask for a donation of land of particular significance (i.e., it would form a connection to a trail or it would protect a significant resource). Be prepared to explain the advantages and benefits for the donation of an easement as well as the responsibilities that it will entail. Easements can also be purchased and have their own associated benefits. Private land trusts, listed in APPENDIX C, offer guidance and helpful informational bulletins to assist in the acquisition of easements. In addition, municipalities can purchase any such parcel of land as it becomes available. For both land or easement purchase, the implementation of a municipal land use change tax fund (RSA 79-A:25-a) can ease the burden of an outright expenditure (APPENDIX A). RSA 36-A:5 allows a duly established Conservation Commission to independently purchase land or easements, after establishing a conservation fund, without consultation with the governing body.

OFFICIAL TRAILS DESIGNATION

Many references have been made throughout the Plan to trails designation, or Class A and B trails. New Hampshire State law allows municipalities to designate paths, rights-of-way, Class VI roads, or trails as "official trails" of the Town. One advantage to doing so is that each trail becomes a legally enforceable route by the local law enforcement if posted properly; if stated restrictions are violated, a simple legal recourse is possible. Also, such trails can be publicized as being sponsored by the Town, and maps and brochures can be created and published (see also **Special Events and Announcements** under TRAILS MANAGEMENT). RSA 231-A contains the entire list of rules and caveats, and APPENDIX B lists the primary statutes. Here is a summation of the main points:

Class A/B Trails

Advantages

Legally enforceable route subject to postings

Publicity

Disadvantages

Permanent discontinuance of road (if applicable)

Abutters may be entitled to damages as a result

What are Class A and Class B Trails

A Class A trail is considered a full public trail subject to the restrictions imposed upon it at the time of designation; the Town permanently discontinues the road if it were a road to start with. The owners of abutting lands may use it for vehicular access to their property for existing, non-development uses. A Class B trail is identical to a Class A trail but disallows vehicular access by abutting landowners and would be more appropriate for a constructed trail. (RSA 231-A:1)

How to Designate a Trail

After acquiring permission from a landowner(s) and/or easement holder for use of a trail on their land, as well as agreeing on the specified restrictions, voters at Town Meeting can vote to designate any trail as a Class A or Class B trail. A trail can be so designated until the decision is rescinded or for a length of time as specified by the landowner(s).

> Officially designating a trail as Class A or B has not yet caught on as a trend in the Central NH Region.
>
> Few to no municipalities here have successfully designated trails, although it is assumed that municipalities in northern NH have done so.

In the case of designating a Class B trail on a Class VI road, the abutters need to be consulted and in some cases remunerated for any damages if the designation removes any of their prior access rights. In some cases, damages can also be sought by abutters for designation of a Class A trail. However, in general, Class A trails are most appropriate for Class VI roads and former railroad rights-of-way (basically, pre-existing pathways) while Class B trails are most appropriate for constructed trails. (RSA 231-A:5)

Trail Restrictions

The landowner(s), easement holder, the abutters, and Town agree upon what the trail will not be used for; these restrictions will be placed on the warrant article. Common restrictions include the prohibition of motorized vehicles on certain trails, or that a trail be used seasonally instead of year-round. The trail is then posted with the restrictions at the beginning and end of the trail, as well as at any trail junctions where the restrictions change. (RSA 231-A:1, 4, 5)

Enforcement of a Trail

As long as the restrictions to a trail are clearly posted, any violation to the trails can be treated in the same manner as a traffic violation by local law enforcement. As most Police Departments cannot extend their resources to monitor all of the designated trails, often times the trail users, stewards, or abutters will report problems to the local law enforcement, who then would investigate the complaint. Although the rules of the designated trail are enforced by the Town, the trails themselves may or may not be maintained by the Town (see also TRAILS MANAGEMENT). (RSA 231-A:4, RSA 265)

Municipal Liability and Private Landowner Liability of Designated Trails

The Statutes provide many protective laws about liability, particularly where recreation is involved. Where users of designated trails are not charged a fee for the use of the trails, which will be the situation in the majority of cases, the liability of both the municipality and the landowner shall be limited, where the municipality/landowner will not be held responsible for personal injuries or property damages except where such damage is intentional. In addition, volunteers who maintain the trail, with prior recognition from the municipality as a volunteer of said trail, incur the same limited liability (see also TRAILS MANAGEMENT). The laws are the same for those trails that are not officially designated as Class A or B by the municipality. (RSA 212:34, 231-A:8, and 508:14)

Rescinding the Designation of Class A or B Trails

Once a trail has been designated a Class A or B trail, it can be rescinded back to its original status in the same manner, by a vote at Town Meeting, as other road classifications can be changed. Where designated trails fall onto private property, the landowner(s) can at any time request that the designation be rescinded. The details are available in RSA 231-A:3.

TRAILS MANAGEMENT

A Trails Committee can be established at any time under the umbrella of the Conservation Commission. Although it will have no official "power", it will have the blessing of and be able to make recommendations to the Conservation Commission as its subcommittee. By forming a separate Trails Committee, the specific mission of creating and maintaining a trail system can be accomplished without commandeering the Conservation Commission's limited time. Members of the Conservation Commission can be on the Trails Committee; private landowners, other municipal board members, special interest groups (equestrian, snowmobile, mountain biking), local public volunteer organizations (Scouts, Rotary, Lions), schoolteachers, and representatives of private businesses can be recruited to form the Trails Committee. The more interests that are represented on the Committee, the more diverse and creative the group will be, and the variety of available resources and contacts will be greater.

Volunteer Rallying

After the formation of a Trails Committee, volunteers have their own liability issues that must be adequately addressed. RSA 508:17 provides liability protection to "recognized" volunteers of a municipality; as long as a volunteer does not commit deliberate acts of malice, he or she will not be held liable for damages by the landowner. For example, under normal trail maintenance conditions (and where an agreement has been made with the landowner), a volunteer may need to use a saw to remove a downed tree across a trail on private property; this is not an act of malice. However, if the volunteer cuts down numerous healthy trees not within the area of the trail, this act could be considered spiteful and the volunteer would not be protected under RSA 508:17.

In order to be recognized as a volunteer of a municipality, the governing bodies and the volunteer must sign an agreement, the wording of which is present under the above-mentioned RSA. A copy of the agreement, the *Volunteer Liability Form*, can be found in **APPENDIX C**. Any volunteer who does work for a municipality, regardless of which board or commission the volunteer is working with, should sign a liability form for his or her own protection if private property is involved (for example, a Planning Board site walk could also offer opportunities where protection is warranted). It is also good practice for a municipality to carry insurance specifically for volunteers.

> Volunteers should be recognized by the Town for their protection (liability) and for their community service efforts.

On a positive note, a *Certificate of Volunteerism* (**APPENDIX C**) can easily be given that recognizes the individual, family, or group which volunteers to create or maintain a trail. Signed by the Conservation Commission and Trails Committee Chairs, it offers an appreciative thank-you for the activities of the volunteer and could be presented upon the volunteer's agreement to steward or help create a trail.

A trails network is envisioned, the Trails Committee is established, a parcel of land is secured and the volunteers are ready to begin work on the property. Now it is time to build!

Building Trails

Trail building can be simple, but *where* the trail is placed and *how* the trail is to be used can be consequential. There are many good references available for trails building. One was written by a New Hampshire hobbyist who loved trails so much, he wrote a free guide for the public. Ted Bonner's "Building Foot Trails: A Guide for Towns and Landowners" gives brief, no-nonsense instructions and points out obstacles to consider. Town foresters are often an excellent local resource to tap into and to ask for assistance.

> As the Trails Committee begins to create trails, consideration should be given to making one or more trails accessible to people with disabilities.

Because of potential terrain obstacles, the NH DRED has published the "Best Management Practices for Erosion Control During Trail Maintenance and Construction" to aid volunteers while protecting the land at the same time. Many different natural factors need to be considered before constructing any trail, including wetlands disturbance, erosion, and practical factors of installing culverts and bridges where necessary. There are also recommended maximum slope grades for various types of uses. All of these issues, and more, are described in detail in the document. Although the Best Management Practices are not required by law, they should be consulted prior to any trail building. In addition, where wetlands are being crossed or filled, a permit or notification needs to be filed with the NH Department of Environmental Services' Wetlands Bureau. Again, a professional Town forester can help with these processes.

Trail building can be done using a set of loppers and a bow saw to clear a four-foot wide by eight-foot high pathway. A good trail must be well-blazed so a user knows exactly where the trail leads and a good trail must be well-signed at the beginning and end, so a trail-user knows if what they want to do on the trail (hike, motorbike, snowmobile, etc) is allowed. Parking areas should be indicated, whether they are on the far shoulder of a road or on a small pull-off beside the trail. Eventually, a good map of the trail should be produced and made available to trail users through the use of an inexpensive map box at the beginning and end of the trail.

By word of mouth, many local trails "experts" can be found who have built and maintained trails in their spare time for many of years. Contacting other local Conservation Commissions or non-profit organizations may lead to the start of a new partnership and to the sharing of time-tested ideas. At some point, any municipality's trail system could benefit from tying into the trails of another Town's. In any case, talking with a neighboring Conservation Commission or their Trails Committee would probably be beneficial to both parties. Trail building references can be found in APPENDIX C.

Unfortunately, there will be some budgetary considerations. Even though the Trails Committee can rely upon many of its volunteers to provide their own tools, they should consider purchasing a few pairs of bow saws and lopping shears. Items that will need to be periodically purchased are trail blazes, appropriate signage, 4x4 pressure treated posts and plastic mailboxes for maps (eventually), and perhaps wood for bridging small wet areas. As the Trails Committee will generally be considered a subcommittee of the Conservation Commission, the expenses will probably come out of the Commission's budget. The use of power equipment is highly discouraged unless appropriate training, waivers, or insurance are available.

Trails Maintenance

After the trail has been built, it should be mapped. This can be effectively done by using a Global Positioning System (GPS) unit borrowed from the NH Office of State Planning (NH OSP). This unit is far different from the popular, hand-held GPS units sold in sporting stores. The smaller GPS functions almost like a navigating "compass" which is quite helpful in the wilderness. The NH OSP unit's primary function is to capture data (map trails, mark locations of cellar holes, etc) which can be processed into Geographic Information System (GIS) data. With the GIS data, accurate mapping can then be done of the trail.

The Trails Committee would probably be responsible for the majority of the designated Class A or Class B trails within Town depending on the arrangements that have been made. The Sno Shakers Snowmobile Club are still responsible for the snowmobile trails they developed, but perhaps an agreement has been made with a trail steward to maintain a trail during the summer months. Committee members do not have to be the only people who perform maintenance on the trails. Property owners and their families are good candidates for maintaining the trails on their land, as are businesses, Scout groups, teachers and their students, and other civic-minded individuals through an "Adopt-A-Trail" program. As a Town will have many trails that need to be maintained, a *Volunteer Maintenance Agreement* (APPENDIX C) should be signed by the volunteer and by the Trail Committee. This agreement is a way of keeping track of those

people who volunteer to maintain each trail and to encourage "ownership" of the steward responsibilities of a trail.

People who sign a Volunteer Maintenance Agreement will want to know exactly what they are volunteering for! A "job description" can be a helpful aid to people who want to contribute to the stewardship of a trail but may not know what they are expected to do. A sample can be found in APPENDIX C.

To help volunteers take care of a trail, a *Trail Report Form* (APPENDIX C) is a tool that encourages the trail stewards to look for problems of and notice exemplary conditions of their trail. Because the report is on paper and has easy check-boxes, it also allows a standardized way for the Trails Committee to track the maintenance of many trails at one time. This type of report also encourages the volunteer to report back to the Trails Committee about the trail on a regular basis.

The municipality's licensed forester can assist with the building and maintenance of trails and can advise if a wetlands permit or notification must be filed with the NHDES when wet areas are crossed.

Special Events and Announcements

Trails have been created, are maintained by volunteers, and have been mapped. A next step is to name the trails and give them their own identities. The Trails Committee may wish to honor the landowner or family that generously donated the use of their land by naming a trail after them. Other ways to "individualize" the trails is to name them after their certain natural characteristics, or what has been spotted along the trail, or after a special person in Town. Trails that have distinct names are easier to promote and attract attention to. Trails dedication ceremonies can attract people to the opening of a new trail and give tremendous pride to the people who working on the trail and to any people who are having a trail named after them.

Promoting your trails can be one of the most rewarding aspects of an open space trail system: the Town, Trails Committee, landowners, and trail stewards get to "show off" the tremendous amount of work they have cooperatively achieved. After promotion, Tourists may be drawn to the area and residents may take advantage of the unique recreational opportunity offered to them. Informing the public of your accomplishments can take one of many different forms.

Guidebooks, maps, and brochures are effective "marketing" tools for your trails!

Parcel-specific individual maps can be created through the acquisition of GPS data, as noted previously. A municipality may have the capability to produce the maps on its own if it has the proper software and hardware. As an alternative, the Central New Hampshire Regional Planning Commission, like the other eight regional planning commissions in the State, offers low-cost map production services to its member municipalities. After having the maps printed, perhaps through the in-kind donation of the services of a local printing business, they should be placed in the map boxes at the trailheads.

A collection of the maps can be placed into a single trails guidebook and sold without profit to enthusiasts and residents. The guidebook could also contain descriptions about each trail and the interesting finds along the way. Incorporating the trails into maps and into a Trails Guidebook will be one of the best marketing tools to get new people to visit the trails and perhaps even find additional volunteers to steward them.

National Trails Day is a yearly event organized by the American Hiking Society intended to bring awareness of the myriad of trail systems throughout the country. Any Conservation Commission, private group, or public group can "sign on" and use the National Trails Day's publicity to generate additional interest and participation in their own trail system. On the day itself, groups all over United States hold trails-related events. For a local Trails Committee, this could mean that the general public is invited to attend and participate in a trail-clearing event or a maintenance event of a trail in need. A Trails Committee could recommend that these temporary volunteers fill out a *Volunteer Liability Form* in the event that property damage or injury result (see **Volunteer Rallying** for more information). New Hampshire holds its own Trails Day in the summer as well.

Where other trails-related projects are cut-and-dry, public promotional events offer a chance to be creative. Better yet, they provide a different type of fun that appeals to people of all ages. Involving people to plan for and participate in the events will further cement the community's ties to its open space trail system.

OPEN SPACE MANAGEMENT

Conservation lands tie heavily into the equation of people and trails. Not all land that sustains trails will be privately owned. Conservation lands are typically thought of as being permanently protected from development, thus pairing very well with the concept of a trail system built upon them in order to allow people to appreciate nature. But not all open space is permanently protected from development. Through a Master Plan, municipalities are able to identify their conservation goals and objectives and take appropriate actions to help meet those goals.

Loudon is host to a number of town-owned properties as well as to a variety of permanently protected conservation lands. Tying these lands together through the means of a trail system not only encourages recreation, it also helps preserve the spirit of the open space concept. To that end, there are many regulatory and non-regulatory techniques available to help municipalities create and retain an open space network.

Zoning Ordinances and Regulations

Municipal Zoning Ordinances, Subdivision Regulations, and Site Plan Review Regulations offer a variety of ways to help preserve the open space within a Town. The types of zones themselves and the allowed uses within each zone play a part in the overall preservation scheme of a Town. For example, while a Residential zone may require a 2-acre minimum lot size and allows development activity, an Agricultural zone may require a 10-acre minimum lot size and may not permit certain types of activity. Many Central New Hampshire Region towns have Conservation zones which have differing lot size minimums and allowed uses, but this zone is typically more sensitive to the requirements of retaining open space.

Another zoning tool is the use of overlay districts. These special districts encompass one or more underlying zones and impose additional requirements above that required by the underlying zone. Typical overlay districts include Historic, Floodplain, Aquifer, and Wetland. While not traditionally used in the protection of open space, appropriately placed overlay districts, like Wetland for example, can also serve to protect natural habitat over vast areas.

Instead of retention, consider the creation of open space through the municipal Zoning Ordinance. Commonly referred to open space development or "cluster development" or "incentive zoning", concentration of new housing on smaller than traditional lots encourages the developer to dedicate a large portion of the entire development to permanent preservation. Developers can benefit from open space development by its inherently less expensive infrastructure and by the added value to the building lots that open space creates. A density bonus could be granted, allowing for more building lots to be created through open space development than through traditional zoning. The municipality also benefits from open space development through a significant land donation from the developer. This innovative zoning control can allow the municipality and developer to work cooperatively and conserve large contiguous tracts of land in the process.

A recreational impact fee can be imposed at the time a certificate of occupancy is granted for newly constructed buildings, again through the Zoning Ordinance. A proportionate formula determines the amount of money that must be paid, which goes into a fund in the Capital Improvements Program. As long as municipalities have a properly adopted Master Plan and Capital Improvements Program, impact fees can be charged, but if they are not used within six years they must be returned to the individual. Recreational impact fees can help with the purchase of land, the building of parks, and the construction of trails for public use.

Within the Subdivision and Site Plan Review Regulations, a requirement for developers to donate easements or land can be imposed. For Subdivision Regulations, the most reasonable requirement would be for major subdivisions (over three lots). For either set of regulations, the donation of easements or land can easily supplement the holdings of the Town and can enhance an existing open space network if planned properly. Typically, a municipality needs to have an adopted Master Plan and Capital Improvements Program in place which actively support the rationale behind the donation requirements in order to be defendable.

Other Municipal Regulatory Techniques

The current use tax law (RSA 79-A) is a widely used tool in which property owners ease their tax burden by placing their land under "current use". While this status helps them lower their property taxes on the parcel, the right to use their property in certain ways has been rescinded. New house construction, subdivision, or other significant terrain- and use-altering activities are prohibited until the property is removed from its current use status, which would then require property owners to pay a portion of the assessed value of the parcel back to the Town. This penalty not only discourages the removal of the current use status, it also creates opportunities for municipalities to use the land use change tax in ways that benefit the community.

Many municipalities in the Central Region have, at Town Meeting, voted to allow a percentage of the land use change tax penalties to be allocated to a land acquisition fund. This fund is used to purchase lands of significant open space, aesthetic, historical, or ecological value. The amount of money in this fund can be substantial, and typically the Conservation Commission is in charge of how the money is spent.

The creation of a forestry management reserve fund, again through Town Meeting, can assist with the management responsibilities of Town-owned land use for forestry purposes. Forestry revenues generated by forest management have been used by Central Region municipalities for building trails on the forested lots, for hiring a licensed Town Forester to oversee management and write forestry management plans, and for other incidentals associated with forested lands.

Easements and Acquisitions

The selective purchase of or acceptance of easements can be instrumental in building a contiguous open space network throughout Town. The same can be said for acquisitions either through donation or through purchase. Although all permanently preserved land is valuable in its own right, the management responsibilities of a new easement or acquisition may outweigh the benefit that the parcel has to offer. For example, a small parcel that is not geographically located near other protected lands may need to be heavily considered as to whether it would become an asset or a liability to the holdings of the Town. Is the parcel suitable for forestry management? Does it contain exemplary characteristics (ponds, wetlands, plant or animal species, scenic vistas, historical value) that make it desirable for permanent conservation? Can the parcel be used as a park or as a trail network connector? These and other questions should be considered before a municipality purchases or accepts a parcel of land into its own holdings.

Alternatives to a municipality taking on the responsibility for management of select parcels would be to contact a land trust about their interest in the parcel. They would also be concerned about the characteristics that a parcel has to offer. However, they have extensive experience negotiating with landowners and drafting the necessary legal documents, and may be able to take quicker action on the parcel's purchase or donation. Working with local land trusts can also help a Town consider the big picture of open space management. By establishing a positive relationship from the start, both the municipality and the land trust can reap mutual benefits and preserve appropriate land from development. Specifics about easements and acquisitions are listed in the prior LANDOWNER PARTNERSHIPS section, and APPENDIX C has a listing of State and Central Region area land trusts.

GRANTS AND FUNDING PROGRAMS

There are many funding sources available for trails acquisition and construction, which are the primary components of a trail system, or even a singular trail, after landowner concurrence. The primary source of these funds are through federal programs, most of which are passed through the State of New Hampshire. These funds are competitively awarded through State agencies after a rigorous application process. Match requirements for the federal/state programs, as well as the frequency of the grant rounds, are indicated.

Trails maintenance dollars, however, require a different approach as most grant programs do not support maintenance projects on established trails. Local techniques are the most efficient means of obtaining funds for existing trails. When a Trails Committee applies for a grant, it will do so under the umbrella of the Conservation Commission, which will be applying under the umbrella of the Board of Selectmen. Depending on the grant being applied for and on the warrant articles passed at previous Town Meetings, it might be necessary to write and pass a warrant article for acceptance of grant funds before a contract can be signed with the awarding agency (RSA 31:95-b). APPENDIX A contains a sample warrant article for this purpose.

Other approaches listed in this section include partnerships with other organizations and solicitation of funding. With regard to holding fundraisers or asking for donations, if a municipality does not allow its boards (a subcommittee of the Conservation Commission would technically be considered a board of the Town) to accept monetary donations, a different tactic would be to consider establishing the Trails Committee as a 501:c-3 organization. This non-profit organization would then be able to accept donations, write grants on its own, and hold fundraisers; it would no longer be considered a board of the municipality but a separate entity. This long-term approach may offer both advantages and disadvantages to the mission of the Trails Committee.

NH Land and Community Heritage Investment Program (LCHIP)

In July of 1998, the state legislature recognized the increasing problems facing our natural, cultural, and historic resources and established the NH Land and Community Heritage Commission. The Commission made a visionary recommendation and urged that the State establish a fund for a new, permanent, public-private partnership to conserve priority lands and historic structures. The Commission recommended a $12 million annual funding level. During the 1999 legislative session, Senate Bill 401, the Land and Community Heritage Investment Program (LCHIP) bill, was introduced. The legislature passed Senate Bill 401 in May 2000 creating LCHIP.

In September of 2000, the Governor nominated 18 individuals to serve as the LCHIP Authority. Convening in September 2000 and working through December 2000, the Authority met seven times to establish its by-laws; hire an executive director; hold a series of five public meetings; construct the Procedures, Guidelines and Criteria document that became the nuts and bolts of the program; design and release the LCHIP application materials, and set a very ambitious goal of getting grant monies working on projects by the end of the 2001 legislative session.

On June 26, 2001, the House and Senate both passed the State's biennial budget, including $12 million for the Land and Community Heritage Investment Program ($5 million in FY02 and $7 million in FY03).

Transportation Equity Act for the 21st Century

The most well known source of funds for expansion of trail systems is associated with the Transportation Equity Act for the 21st Century (TEA-21). In the capacity as the replacement legislation for ISTEA, TEA- 21 has expanded federal funds for creation of multi-use trails in order to encourage the development of a stronger intermodal transportation system. Funding associated with TEA-21 is broken into the following separate grant programs which are administered by different State agencies.

Recreational Trails Program - NH DRED

The purpose of this program is to provide funds to develop and maintain recreational trails for both motorized and non-motorized recreational trail users. Each state is provided with a predetermined amount of funding based upon a formula. This program is one exception where trail maintenance funds can be awarded if the project scores competitively higher than other applications. Awards range between $1,000 and $20,000. Eligible projects for funding under this program include, but are not limited to:

- Maintenance and restoration of existing recreational trails;
- Development and rehabilitation of trailside and trailhead facilities and trail linkages;
- Purchase and lease of recreational trail construction and maintenance equipment;
- Construction of new trails (with restrictions for trails on federal land);
- Acquisition of easements or property for recreational trails or corridors;
- State administrative costs; and
- Operation of educational programs to promote safety and environmental protection as related to recreational trails.
- Match: 80% federal, 20% local (in-kind or cash)
- Frequency: There is one grant round per year.

Transportation Enhancement Funds - NH DOT

Transportation Enhancements (TE) are transportation-related projects designed to strengthen environmental, cultural, and aesthetic aspects of transportation networks. This source of funding has been created to construct non-traditional projects, which may include trails, bicycle paths, and beautification and preservation projects. All projects must be related to surface transportation:

- Safety and educational activities for pedestrians and bicyclists;
- Bicycle and pedestrian facilities
- Acquisition of scenic lands and easements
- Scenic or historic highway programs;
- Environmental programs to address water pollution from highway runoff; and
- Establish transportation museums.
- Match: 80% federal, 20% local (in-kind or cash)
- Frequency: There is one grant round every two years.

Congestion, Mitigation and Air Quality Improvement Program - NH DOT

The CMAQ program was established to encourage alternative modes of transportation or improvements in order to improve air quality and reduce polluting traffic congestion in urban places. The Central New Hampshire area falls into the attainment category, which means our air quality meets or exceeds federal standards. Trails, bicycle paths, and pedestrian walkways termed as Transportation Control Measures (TCM), are required for areas which exceed National air quality allowances for ozone and carbon monoxide. Although a trails application could be entered for consideration, trails projects are usually funded through the "sister program" of TE. Because the most serious problems are found in areas of non-attainment, only a small amount of funds will be available for projects in attainment areas.

Match: 80% federal, 20% local (in-kind or cash)
Frequency: every two years

Rivers and Trails Conservation Assistance - National Park Service (US NPS)

The NPS provides professional assistance on a competitive, yearly basis to organizations that apply to their River and Trail Conservation Assistance Program. Although funds are not usually granted, they will work with the recipients to work toward a goal (producing a handbook or brochure, holding public meetings, organization of potential partnerships, etc).

Match: local work and support (in-kind)
Frequency: There is one grant round per year.

Land and Water Conservation Fund (LWCF) - NH DRED

This federally established funding opportunity has been severely underfunded for the last several years. The Land and Water Conservation Fund Act of 1965 authorized financial assistance to States and their municipalities for acquiring and developing lands and waters for public outdoor recreation purposes. There have been extensive, popular movements over the last few years to get Congress to refund this important program, but as of yet to no avail.

Match: 60% federal match, 40% local of cash or local work and support (in-kind)
Frequency: There is one grant round per year.

Community Development Block Grants (CDBG) - NH Office of State Planning (NH OSP)

Each year, New Hampshire receives approximately 10 million dollars from the US Department of Housing and Urban Development. Of each annual appropriation, funds are divided between administrative costs, entitlement communities, and previous allocations guaranteed for multi-year grants. Remaining funds are available for grant applications from non-entitlement communities. Administered through the Office of State Planning, non-entitlement communities may submit applications community facilities or economic development grants for a variety of projects, which includes construction of bicycle paths, sidewalks, and trail development. Because of the very competitive scoring and limitation of funds, the likelihood that a trails-related application would be funded at this time is slim.

Match: 50% local for community facilities or economic development grants
Frequency: There are two grant rounds each year.

McCabe Environmental Fund - NH Charitable Foundation

Grants are awarded to assist the establishment of new conservation and education programs, to support significant improvements to the quality and scope of established programs, and for capital projects, including land acquisition, of exceptional importance in the State. Awards range from $5,000 to $20,000.

Match: local work and support (in-kind)
Frequency: There is one grant round per year.

New England Grassroots Environmental Fund - NH Charitable Foundation

This small grants program is designed to enhance community participation in local and regional environmental issues. A significant volunteer commitment must be part of any project. Awards typically range from $500 to $2,500.

Match: local work and support (in-kind)
Frequency: There are three grant rounds per year.

Local Set-Aside Programs

Funding for trails related projects are not limited to the State or Federal level of government. Municipalities, especially those with a large dependence on tourism, have passed resolutions to transfer various percentages of the Timber Tax received by the Town for conservation and trail building efforts. In communities with a heavy dependence on timber, this may be a significant amount of revenue for trails-related projects. Also, a land use change tax conservation fund (see also OPEN SPACE MANAGEMENT) takes the burden off of outright expenditures for easements or key parcel purchases. APPENDIX A contains a warrant article for creating a conservation fund.

Sale of Salvage Rights

Commonly used to finance trail improvements associated with abandoned railway beds, the sale of salvage rights of materials found on trails such as rail road ties, rails, and ballasts can be a lucrative way to raise funds for trail development. Revenue generated from the sale of these items can vary widely depending on geographic location of the items, local market conditions, length of the corridor, and quantity and quality of salvageable materials. According to the Rails-to-Trails Conservancy, salvage material can produce revenue up to $10,000 per mile of rail corridor. In Loudon, all of the railroad ties have been previously removed, rendering this option impractical.

Capital Improvements Programs

Some progressive communities throughout the country have established Capital Reserve funds to match gifts or complement exactions for improvement of municipally owned trail networks. Capital Improvement Programs are excellent for development of trails. First, funds deposited into any capital reserve fund are “ear marked” for expenditure on trail related projects. Secondly, such funds can serve as legal leverage when negotiating exactions from developers because any capital reserve account for trail improvement shows a local commitment to improvement of trails. This is important should a developer mount a legal objection to any exaction.

Non-Profit Partnerships

There are a host of non-profit organizations throughout the country that may be able to provide funding, technical assistance, or act as negotiators with landowners for land conservation or trail projects. Organizations include the Trails Conservancy, Trust for Public Lands, the Nature Conservancy, and the Society for the Protection of New Hampshire Forests.

Local Businesses

Businesses within Town, particularly banks or large chain stores, are usually enthusiastic about giving back to their community. Some regularly set aside a certain amount of funds on a yearly basis to give to community organizations that express a genuine need. The business benefits by being publicly known as a sponsor of volunteer community efforts, and the Trails Committee benefits by the funds it would receive.

A word of caution about monetary gifts: municipalities and their boards may or may not have established mechanisms in place to accept or solicit donations. The Board of Selectmen should be consulted prior to approaching businesses in order to determine the legality of the donation.

Fundraisers and Monetary Gifts

A variety of innovative fundraising resources have been developed over the past several years to provide money for trail improvements. These techniques range from traditional bake sales, to raffles, to dinners, to hike-a-thons, to the "selling" of sections of trails for $10 per foot to outdoor enthusiasts. Other techniques include the sale of benches and trees. Donators are recognized by having their names either inscribed on the bench, or with a plaque under the purchased tree. Naming a scenic view or even a trail for families or organizations making significant donations may be an appropriate way to recognize such gifts. Community organizations like the Rotary Club or Lions Club may be willing to assist or provide information about how to organize such events.

Again, a word of caution about fundraisers and monetary gifts: municipalities and their boards may or may not have established mechanisms in place to accept donations or hold fundraisers. The Board of Selectmen should be consulted before undertaking these types of events to determine the legality of the fundraising. As an alternative, non-monetary donations such as trails maintenance equipment, benches, trees, or the printing of maps or brochures are acceptable as "in-kind" donations.

SAMPLE LANDOWNER AGREEMENT

RIGHT OF WAY TRAIL AGREEMENT

Permission is hereby granted to _____ to create and maintain a public recreational trail across my property at _____ for the purposes of:

( ) hiking
( ) horseback riding
( ) mountain biking
( ) all-terrain vehicle (ATV) use
( ) cross-country skiing
( ) other _____
( ) four-wheel driving (4WD)
( ) snowmobiling
( ) motorbiking
( ) dogsledding
( ) snowshoeing
( ) other _____

I understood that the use of this right of way for said purpose in no way holds me liable or responsible for accidents that may occur as a result of others using my property as provided in Chapter 212, Section 34, Laws of the State of New Hampshire. There shall be no fee for this easement, and the above-named organization will charge no fee for use of the trail on my property. The above named organization further agrees to mark and maintain this right of way in a proper and safe manner, post the allowed uses at the beginning and end of the trail on my property, and notify me of any known unusual circumstances or conditions.

This agreement shall have a term of:

( ) Indefinite ( ) 1 year from date of signing ( ) 5 years from date of signing

This agreement may be terminated for any cause by either party upon 30-day written notification.

Dated this _____ day of _____, 20_____.

_____
Landowner Date

_____

_____
Address

_____
Organization Officer Date

_____

_____
Address

[THIS IS A NON-CONTRACTUAL CONVEYANCE PURSUANT TO NEW HAMPSHIRE RSA 78-B:2 AND IS EXEMPT FROM THE NEW HAMPSHIRE REAL ESTATE TRANSFER TAX.] [If tax stamp required, allow 3" margin from top of page to title of deed]

(provided by the Society for the Protection of NH Forests 1999)

CONSERVATION EASEMENT DEED

[NAME OF GRANTOR(S)], single/husband and wife, of/with a principal place of business at [street name and number], Town/City of _____, County of _____, State of New Hampshire, (hereinafter referred to as the "Grantor", which word where the context requires includes the plural and shall, unless the context clearly indicates otherwise, include the Grantor's executors, administrators, legal representatives, devisees, heirs, successors and assigns),

for consideration paid, with WARRANTY covenants, grant[s] in perpetuity to

the **SOCIETY FOR THE PROTECTION OF NEW HAMPSHIRE FORESTS**, a corporation duly organized and existing under the laws of the State of New Hampshire, with a principal place of business at 54 Portsmouth Street, City of Concord, County of Merrimack, State of New Hampshire, 03301-5400, having been determined by the Internal Revenue Service to be an income tax exempt, publicly supported corporation, contributions to which are deductible for federal income tax purposes pursuant to the United States Internal Revenue Code, [Town or City of _____, situated in the County of _____, State of New Hampshire, acting through its Conservation Commission pursuant to NH RSA 36-A:4] (hereinafter referred to as the "Grantee" which shall, unless the context clearly indicates otherwise, include the Grantee's successors and assigns),

the Conservation Easement (herein referred to as the "Easement") hereinafter described with respect to that certain parcel/area of land (herein referred to as the "Property") with any and all buildings, structures, and improvements thereon/being unimproved land situated on [street name] in the Town/City of _____, County of _____, State of New Hampshire, more particularly bounded and described in Appendix "A" attached hereto and made a part hereof.

1. PURPOSES

The Easement hereby granted is pursuant to NH RSA 477:45-47, exclusively for the following conservation purposes:

[choose appropriate section(s) among the following:]

A. The preservation of the land [and the water body of (name of water body) to which it provides access and on which it fronts] subject to the Easement granted hereby for outdoor recreation by and/or the education of the general public, through the auspices of the Grantee; and

B. The protection of the unusual natural habitat of _____; and

C. The preservation and conservation of open spaces, particularly the conservation of the ___ acres of productive farm and/or forest land of which the land area subject to the Easement granted hereby consists [, the protection of the undeveloped water frontage along the (name of water body), to which the land area subject to the Easement granted hereby provides access and upon which it fronts], the preservation and conservation of the wildlife habitat on the property, and the scenic enjoyment of the general public; and

[D. The preservation of that historically important land area which is _____ and/or the historic structure which is _____; and]

[E. insert additional purposes, as appropriate]

The above purposes are consistent with the clearly delineated open space conservation goals and/or objectives as stated in the [date] Master Plan of the Town/City of _____, which states " " and with New Hampshire RSA Chapter 79-A which states: "It is hereby declared to be in the public interest to encourage the preservation of open space, thus providing a healthful and attractive outdoor environment for work and recreation of the state's citizens, maintaining the character of the state's landscape, and conserving the land, water, forest, agricultural and wildlife resources."

All of these purposes [this purpose] are [is] consistent and in accordance with the U.S. Internal Revenue Code, Section 170(h).

The Easement hereby granted with respect to the Property is as follows:

2. <u>USE LIMITATIONS</u> [(Subject to the reserved rights specified in Section 3 below)]

A. The Property shall be maintained in perpetuity as open space without there being conducted thereon any industrial or commercial activities, except agriculture and forestry as described below, and provided that the productive capacity of the Property to produce forest and/or agricultural crops shall not be degraded by on-site activities.

i. For the purposes hereof, "agriculture" and "forestry" shall include animal husbandry, floriculture, and horticulture activities; the production of plant and animal products for domestic or commercial purposes; the growing, stocking, cutting, and sale of Christmas trees or forest trees of any size capable of producing timber or other forest products; and the processing and sale of products produced on the Property (such as pick-your-own fruits and vegetables and maple syrup), all as not detrimental to the purposes of this Easement.

ii. Agriculture and forestry on the Property shall be performed, to the extent reasonably practicable, in accordance with a coordinated management plan for the sites and soils of the Property. Forestry and agricultural management activities shall be in accordance with the then current scientifically based practices recommended by the University of New Hampshire Cooperative Extension, U.S. Natural Resources Conservation Service, or other government or private, nonprofit natural resource conservation and management agencies then active. [Management activities shall not materially impair the scenic quality of the Property as viewed from public waterways, great ponds, public roads, or public trails.]

B. The Property shall not be subdivided [or otherwise divided in ownership] [and none of the individual tracts which together comprise the Property shall be conveyed separately from one another].

C. No structure or improvement, including, but not limited to, a dwelling, any portion of a septic system, tennis court, swimming pool, dock, aircraft landing strip, tower or mobile home, shall be constructed, placed, or introduced onto the Property. However, ancillary structures and improvements including, but not limited to, a road, dam, fence, bridge, culvert, barn, maple sugar house, or shed may be constructed, placed, or introduced onto the Property only as necessary in the accomplishment of the agricultural, forestry, conservation, habitat management, or noncommercial outdoor recreational uses of the Property, and provided that they are not detrimental to the purposes of this Easement.

D. No removal, filling, or other disturbances of soil surface, nor any changes in topography, surface or subsurface water systems, wetlands, or natural habitat shall be allowed unless such activities:

i. are commonly necessary in the accomplishment of the agricultural, forestry, conservation, habitat management, or noncommercial outdoor recreational uses of the Property; and

ii. do not harm state or federally recognized rare, threatened, or endangered species, such determination of harm to be based upon information from the New Hampshire Natural Heritage Inventory or the agency then recognized by the State of New Hampshire as having responsibility for identification and/or conservation of such species; and

iii. are not detrimental to the purposes of this Easement.

Prior to commencement of any such activities, all necessary federal, state, local, and other governmental permits and approvals shall be secured.

E. No outdoor advertising structures such as signs and billboards shall be displayed on the Property except as desirable or necessary in the accomplishment of the agricultural, forestry, conservation, or noncommercial outdoor recreational uses of the Property, and provided such signs are not detrimental to the purposes of this Easement. [No sign shall exceed ____ square feet in size and no sign shall be artificially illuminated.]

F. There shall be no mining, quarrying, excavation, or removal of rocks, minerals, gravel, sand, topsoil, or other similar materials on the Property, except in connection with any improvements made

pursuant to the provisions of sections 2.A., C., D., or E., above. No such rocks, minerals, gravel, sand, topsoil, or other similar materials shall be removed from the Property.

G. There shall be no dumping, injection, burning, or burial of man-made materials or materials then known to be environmentally hazardous.

3. RESERVED RIGHTS

A. This provision is an exception to 2.___. above.

B. The Grantor must notify the Grantee in writing at least thirty (30) days before any exercise of the aforesaid reserved rights.

4. NOTIFICATION OF TRANSFER, TAXES, MAINTENANCE

A. The Grantor agrees to notify the Grantee in writing 10 days before the transfer of title to the Property [or any division of ownership thereof permitted hereby].

B. The Grantee shall be under no obligation to maintain the Property or pay any taxes or assessments thereon.

5. BENEFITS, BURDENS, AND ACCESS

A. The burden of the Easement conveyed hereby shall run with the Property and shall be enforceable against all future owners and tenants in perpetuity; the benefits of this Easement shall not be appurtenant to any particular parcel of land but shall be in gross and assignable or transferable only to the State of New Hampshire, the U.S. Government, or any subdivision of either of them, consistent with Section 170(c)(1) of the U.S. Internal Revenue Code of 1986, as amended, or to any qualified organization within the meaning of Section 170(h)(3) of said Code, which organization has among its purposes the conservation and preservation of land and water areas and agrees to and is capable of enforcing the conservation purposes of this Easement. Any such assignee or transferee shall have like power of assignment or transfer.

B. The Grantee shall have reasonable access to the Property and all of its parts for such inspection as is necessary to determine compliance with and to enforce this Easement and exercise the rights conveyed hereby and fulfill the responsibilities and carry out the duties assumed by the acceptance of this Easement.

6. BREACH OF EASEMENT

A. When a breach of this Easement, or conduct by anyone inconsistent with this Easement, comes to the attention of the Grantee, it shall notify the Grantor in writing of such breach or conduct, delivered in hand or by certified mail, return receipt requested.

B. The Grantor shall, within thirty (30) days after receipt of such notice or after otherwise learning of such breach or conduct, undertake those actions, including restoration, which are reasonably

calculated to cure swiftly said breach, or to terminate said conduct, and to repair any damage. The Grantor shall promptly notify the Grantee of its actions taken under this section.

C. If the Grantor fails to take such proper action under the preceding paragraph, the Grantee shall, as appropriate to the purposes of this deed, undertake any actions that are reasonably necessary to cure such breach or to repair any damage in the Grantor's name or to terminate such conduct. The cost thereof, including the Grantee's expenses, court costs, and legal fees shall be paid by the Grantor, provided that the Grantor is directly or primarily responsible for the breach.

D. Nothing contained in this Easement shall be construed to entitle the Grantee to bring any action against the Grantor for any injury to or change in the Property resulting from causes beyond the Grantor's control, including, but not limited to, unauthorized actions by third parties, natural disasters such as fire, flood, storm, and earth movement, or from any prudent action taken by the Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Property resulting from such causes.

E. The Grantee and the Grantor reserve the right, separately or collectively, to pursue all legal remedies against any third party responsible for any actions detrimental to the conservation purposes of this Easement.

[7. POWER OF TERMINATION

A. If the Grantee ceases to enforce the Easement conveyed hereby or fails to enforce it within thirty (30) days after receipt of written notice from the Society for the Protection of New Hampshire Forests requesting such enforcement delivered in hand or by certified mail, return receipt requested, then said Society shall have the right to enforce this Easement. All reasonable costs of such enforcement shall be paid by the Grantee. In such circumstance, the Society for the Protection of New Hampshire Forests shall then also have the right to terminate the interest of the Grantee in the Property by recording a notice to that effect in the Registry of Deeds referring hereto and shall then assume all interests and responsibilities granted to the Grantee in this deed.

B. The interests held by the Society for the Protection of New Hampshire Forests are assignable or transferable to any party qualified to become the Grantee's assignee or transferee as specified in Section 5.A. above. Any such assignee or transferee shall have like power of assignment or transfer.]

8. NOTICES

All notices, requests and other communications, required or permitted to be given under this Easement shall be in writing, except as otherwise provided herein, and shall be delivered in hand or sent by certified mail, postage prepaid, return receipt requested to the appropriate address set forth above or at such other address as the Grantor or the Grantee may hereafter designate by notice given in accordance herewith. Notice shall be deemed to have been given when so delivered or so mailed.

9. SEVERABILITY

If any provision of this Easement, or the application thereof to any person or circumstance, is found to be invalid by a court of competent jurisdiction, by confirmation of an arbitration award or otherwise, the remainder of the provisions of this Easement or the application of such provision to persons or circumstances other than those to which it is found to be invalid, as the case may be, shall not be affected thereby.

10. CONDEMNATION

A. Whenever all or part of the Property is taken in exercise of eminent domain by public, corporate, or other authority so as to abrogate in whole or in part the Easement conveyed hereby, the Grantor and the Grantee shall thereupon act jointly to recover the full damages resulting from such taking with all incidental or direct damages and expenses incurred by them thereby to be paid out of the damages recovered.

B. [The balance of the land damages recovered (including, for purposes of this subsection, proceeds from any lawful sale, in lieu of condemnation, of the Property unencumbered by the restrictions hereunder) shall be divided between the Grantor and the Grantee in proportion to the fair market value of their respective interests in the Property on the date of execution of this Easement. For this purpose, the Grantee's interest shall be the amount by which the fair market value of the Property immediately prior to the execution of this Easement is reduced by the use limitations imposed hereby. The value of the Grantee's interest shall be determined by an appraisal prepared [for federal income tax purposes] by a qualified appraiser within one year of the date of this Easement, and submitted to the Grantee.] or

[The balance of the land damages recovered (including, for purposes of this subsection, proceeds from any lawful sale, in lieu of condemnation, of the Property unencumbered by the restrictions hereunder) shall be divided between the Grantor and the Grantee in proportion to the fair market value, at the time of condemnation, of their respective interests in that part of the Property condemned. The values of the Grantor’s and Grantee’s interests shall be determined by an appraisal prepared by a qualified appraiser at the time of condemnation.]

C. The Grantee shall use its share of the proceeds in a manner consistent with and in furtherance of one or more of the conservation purposes set forth herein.

11. ADDITIONAL EASEMENT

Should the Grantor determine that the expressed purposes of this Easement could better be effectuated by the conveyance of an additional easement, the Grantor may execute an additional instrument to that effect, provided that the conservation purposes of this Easement are not diminished thereby and that a public agency or qualified organization described in Section 5.A., above, accepts and records the additional easement.

12. ARBITRATION OF DISPUTES

A. Any dispute arising under this Easement shall be submitted to arbitration in accordance with New Hampshire RSA 542.

B. The Grantor and the Grantee shall each choose an arbitrator within 30 days of written notice from either party. The arbitrators so chosen shall in turn choose a third arbitrator within 30 days of the selection of the second arbitrator.

C. The arbitrators so chosen shall forthwith set as early a hearing date as is practicable which they may postpone only for good cause shown.

D. A decision by two of the three arbitrators, made as soon as practicable after submission of the dispute, shall be binding upon the parties and shall be enforceable as part of this Easement.

The Grantee, by accepting and recording this Easement, agrees to be bound by and to observe and enforce the provisions hereof and assumes the rights and responsibilities herein granted to and incumbent upon the Grantee, all in the furtherance of the conservation purposes for which this Easement is delivered.

IN WITNESS WHEREOF, I (We) have hereunto set my (our) hand(s) this _____ day of , 20__.

Name of Grantor

Name of Grantor

The State of _____
County of

Personally appeared _____ and

_____ this _____ day of _____, 20__ and

acknowledged the foregoing to be his/her/their voluntary act and deed.

Before me,

Justice of the Peace/Notary Public

My commission expires:

ACCEPTED: SOCIETY FOR THE PROTECTION OF NEW HAMPSHIRE FORESTS

By:

Title:

Duly Authorized

Date:

The State of New Hampshire
County of

Personally appeared

Title

of the Society for the Protection of New Hampshire Forests, this _____ day of

_____, 20__ and acknowledged the foregoing on behalf of the

Society for the Protection of New Hampshire Forests.

Before me,

Justice of the Peace/Notary Public

My commission expires:

ACCEPTED: TOWN OF _____ CONSERVATION COMMISSION

By:

Title:
Duly Authorized

Date:

The State of New Hampshire
County of

Personally appeared
Name & Title

of the Town of _____Conservation Commission, this _____ day of

_____, 20__ and

acknowledged the foregoing on behalf of the Town of _____
Conservation Commission.

Before me,
Justice of the Peace/Notary Public

My commission expires:

ACCEPTED: TOWN OF _____ BOARD OF SELECTMEN

By:

Title:

Duly Authorized

Date:

The State of New Hampshire
County of

Personally appeared

Name & Title

of the Town of _____ Board of Selectmen, this _____ day of

_____, 20__ and acknowledged the foregoing on behalf of the Town of

_____ Board of Selectmen.

Before me,

Justice of the Peace/Notary Public

My commission expires:

THE FOLLOWING ADDITIONAL OPTIONAL CLAUSES ARE TO BE INSERTED WITHIN THE CE DEED WHEN THEY ARE APPLICABLE:

SEPARATE PARCEL (Add as new paragraph #11)

The Grantor agrees that for the purpose of determining compliance with any present or future bylaw, order, ordinance, or regulation (within this section referred to as "legal requirements") of the Town/City of [name], the State of New Hampshire or any other governmental unit, the Property shall be deemed a separate parcel of land and shall not be taken into account in determining whether any land of the Grantor, other than the Property, complies with any said legal requirements. The Property shall not be taken into account to satisfy in whole or in part any of said legal requirements or any area, density, setback or other dimensional standard applicable to such land.

MERGER (Add as new paragraph #11)

The Grantor and Grantee explicitly agree that it is their express intent, forming a part of the consideration hereunder, that the provisions of the Easement set forth herein are to last in perpetuity, and that to that end no purchase or transfer of the underlying fee interest in the Property by or to the Grantee or any successor or assign shall be deemed to eliminate the Easement, or any portion thereof, granted hereunder under the doctrine of "merger" or any other legal doctrine.

ARCHAEOLOGICAL INVESTIGATIONS (Add to “Reserved Rights”)

Grantor reserves the right to permit archaeological investigations on the Property after receiving written approval from the Grantee. Prior to permitting any such investigations, Grantor shall send written notice to the New Hampshire State Archaeologist (or other person or agency then recognized by the State as having responsibility for archaeological resources) for review and comment, and to the Grantee, such notice describing the nature, scope, location, timetable, qualifications of investigators, site restoration, research proposal, and any other material aspect of the proposed activity. The Grantor and Grantee shall request the State Archaeologist (or other person or agency, as above) to consider the proposal, to apply the standards as specified in rules implementing RSA 227-C:7 (Permits Issued for State Lands and Waters), and to provide written comments to the Grantor and Grantee. The Grantee may, in its sole discretion, approve the proposed investigations only if it finds that all of the following conditions are met:

i. The archaeological investigations shall be conducted by qualified individuals and according to a specific research proposal;

ii. The proposed activities will not harm state or federally recognized rare, endangered, or threatened species; and

iii. The proposed activities will not be materially detrimental to the purposes of this Easement.

TRUSTEE CERTIFICATION, (IF NOT ALREADY SEPARATELY RECORDED); (INSERT AS FIRST PARAGRAPH OF DEED)

I/WE (name) as Trustee(s) of the (name of trust) dated (date), as amended, with a mailing address of (address), hereby certify that as such Trustee(s) I/we have full and absolute power thereunder to convey any interest in real estate and the improvements thereon held therein and no purchaser or third party shall be bound to inquire whether as such Trustee(s) I/we have said power or am/are properly exercising said power or to see to the application of any trust asset paid to me/us as such Trustee(s) for a conveyance thereof, and I/we (hereinafter referred to as the "Grantor", which word where the context requires includes the plural and shall, unless the context clearly indicates otherwise, include the Grantor's successors and assigns), [by the power conferred by said Trust, RSA 564-A, and every other power,] [add text in prior brackets only if fiduciary or quitclaim deed; not needed if warranty deed]

for consideration paid, with WARRANTY [QUITCLAIM/FIDUCIARY] covenants, grant in perpetuity to

PUBLIC ACCESS (Insert as new par. under "Use Limitations")

There shall be no posting to prohibit the public, through the auspices of the Grantee, from accessing and using the Property [or specified portions thereof] for [low-impact, non-motorized, non-wheeled] non-commercial, outdoor recreational purposes, which the Grantee shall be under no duty to supervise.

CONFIRMATION OF NO PUBLIC ACCESS (Add as new par. to "Benefits, Burdens, and Access")

WATER QUALITY PROTECTION (Add to "Purposes" section)

The preservation of the quality of ground water and surface water resources on and under the Property.

CONFIRMATION OF NO PUBLIC ACCESS (Add as new par. To "Benefits, Burdens, and Access")

This Easement shall in no way be interpreted to permit physical access by the public to or across the Property for any purpose.

AGRICULTURAL BEST MANAGEMENT PRACTICES (At Sect. 2.A.ii, delete "Agriculture and" and "and agricultural" in lines 1 and 3, respectively. Then, create new paragraph 2.A.iii with the following text.)

Agriculture shall be performed, to the extent reasonably practicable, in accordance with a coordinated management plan for the sites and soils of the Property. Agricultural management activities shall not be detrimental to the purposes of this Easement, as described in Section 1 above, nor materially impair the scenic quality of the Property as viewed from public roads or public trails. Said management activities shall be in accordance with the then-current scientifically based practices recommended by the UNH Cooperative Extension, U.S. Natural Resources Conservation Service, or other government or private, nonprofit natural resource conservation and management agencies then active, and shall be in accordance with "best management practices" as set forth in the following publications or as these publications may be specifically updated or superseded:

a. "Manual of Best Management Practices for Agriculture in New Hampshire," New Hampshire Department of Agriculture, June 1993; and

b. "Pesticide Management Guidelines for Groundwater Protection," University of New Hampshire Cooperative Extension, November 1992; and

c. "Buffers for Wetlands and Surface Waters: A Guidebook for New Hampshire Municipalities," Audubon Society of New Hampshire, New Hampshire Office of State Planning, University of New Hampshire Cooperative Extension, U.S. Natural Resources Conservation Service, November 1995; and

d. "Best Management Practices: Biosolids," University of New Hampshire Cooperative Extension, 1995; and

e. "Best Management Practices to Control Nonpoint Source Pollution: A Guide for Citizens and Town Officials," New Hampshire Department of Environmental Services, May 1994.

SAMPLE WARRANT ARTICLES

Warrant Article for Creating a Capital Improvements Program

To see if the Town will authorize the Planning Board to prepare and amend a recommended program of capital improvement projects projected over minimum periods of six years, in accordance with RSA 674:5-8.

- Town of Canterbury, 1996

Warrant Article for Establishing a Land Use Change Tax Conservation Fund

To see if the Town will vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 for the purposes of the Conservation Commission and to raise and appropriate the sum of One Thousand Dollars ($1000) to be placed in this fund and to authorize the Selectmen to act as agents to expend.

- Town of Allenstown, 1999

Warrant Article for Amending the Land Use Change Tax Percentage

To see if the Town will vote to change to 35% the percentage of all revenues from all future payments collected under the land use change tax set forth in RSA Chapter 79-A which are placed in the conservation fund in accordance with RSA 36-A:5,III. The current percentage is 20% as established by the 1993 Town Meeting.

- Town of Hopkinton, 1996

Warrant Article for Raising Money for Open Space Acquisition

To see if the Town will vote to raise and appropriate the sum of One Hundred Thousand Dollars ($100,000) for open space acquisition by the Conservation Commission in order to preserve the character of our community, maintain open space, and control growth.

- Town of Bow, 1997

Warrant Article for Acceptance of Grant Funds

To see if the Town will vote to authorize the Board of Selectmen to apply for, accept and expend, without further action by the Town Meeting, unanticipated money from a state, federal, or other governmental unit or private source which may become available during the fiscal year, in accordance with the provisions of RSA 31:95-b, provided that said authority is granted indefinitely until such time as rescinded by a vote of the Town Meeting.

- Town of Alton, 1994

Warrant Article for Retaining Town-Owned Land for Conservation Purposes
To see if the Town will vote to retain ownership of lots 11-67,100 and 11-400,210 and 11-376,213 comprising a total of eight (8) acres located in the former Penhallow development off the East Washington Road as per RSA 80:80, V and place these lots under the supervision of the Bradford Conservation Commission in order to further the development of a trail system linking Town held conservation lands.

- Town of Bradford, 1999

Warrant Article for Acceptance of Land Donation as Town Forest
To see if the Town will accept a 41.69 acre gift of land from Forrest and Vera Fogg, being tract #C3-1-2 that lies North of Gorham Pond Road adjacent to the Kuncanowet Town Forest and Conservation Area, upon mutual satisfaction of the conditions agreed upon by Forrest and Vera Fogg and the KTFCA committee. When the transfer is completed, this tract is to be dedicated as part of the Kuncanowet Town Forest and Conservation Area designated by Articles Z and XI at the 1989 Town Meeting.

- Town of Dunbarton, 1994

Warrant Article for Permanent Discontinuance of Road
To see if the Town will vote to discontinue and relinquish all interests of the Town therein a portion of Sand Road beginning at a point nine hundred fifty feet (950') from Loudon Street/Route 3 and terminating at Sheep Davis Road/Route 106, pursuant to RSA 231:43, provided that the Town incurs no expense resulting from the discontinuance.

- Town of Loudon, 1997

Warrant Article for Reclassifying a Class VI Highway to a Class A Trail
To see if the Town will vote to reclassify Smith Road, a Class VI highway, and the Class VI portion of Dunfield as Class A Trails in accordance with RSA 231-A. A Class A trail is a full public right of way subject to public trail use restrictions. It may not be used for vehicular access to any new building, but it may be used by abutting landowners to provide access for agriculture and forestry and to any building existing prior to its designation as a Class A trail. The municipality shall bear no responsibility for maintaining the trail for such uses.

- Town of Bradford, 1997

Warrant Article for Designating a Scenic Road
To see if the Town of Sutton, NH will vote to designate Cotton Road, commencing at Baker Road, a scenic road in accordance with RSA 231:157 and 158, for the purpose of protecting and enhancing the rural and scenic character and beauty of Sutton.

- Town of Sutton, 1996

TITLE 3
Towns, Cities, Village Districts, and Unincorporated Places

CHAPTER 31
Powers and Duties of Towns

Miscellaneous

SECTION 31:95-b

§ 31:95-b Appropriation for Funds Made Available During Year. – I. Notwithstanding any other provision of law, any town or village district at an annual meeting may adopt an article authorizing, indefinitely until specific rescission of such authority, the board of selectmen or board of commissioners to apply for, accept and expend, without further action by the town or village district meeting, unanticipated money from the state, federal or other governmental unit or a private source which becomes available during the fiscal year. The following shall apply:
(a) Such warrant article to be voted on shall read: "Shall the town (or village district) accept the provisions of RSA 31:95-b providing that any town (or village district) at an annual meeting may adopt an article authorizing indefinitely, until specific rescission of such authority, the selectmen (or commissioners) to apply for, accept and expend, without further action by the town (or village district) meeting, unanticipated money from a state, federal, or other governmental unit or a private source which becomes available during the fiscal year?"
(b) If a majority of voters voting on the question vote in the affirmative, the proposed warrant article shall be in effect in accordance with the terms of the article until such time as the town or village district meeting votes to rescind its vote.
II. Such money shall be used only for legal purposes for which a town or village district may appropriate money.
III. The selectmen or board of commissioners shall hold a prior public hearing on the action to be taken. Notice of the time, place, and subject of such hearing shall be published in a newspaper of general circulation in the relevant municipality at least 7 days before the hearing is held.
IV. Action to be taken under this section shall:
(a) Not require the expenditure of other town or village district funds except those funds lawfully appropriated for the same purpose; and
(b) Be exempt from all provisions of RSA 32 relative to limitation and expenditure of town or village district moneys.
Source. 1979, 42:1. 1991, 25:1. 1993, 176:3, eff. Aug. 8, 1993. 1997, 105:1, eff. Aug. 8, 1997.

TITLE 3
Towns, Cities, Village Districts, and Unincorporated Places

CHAPTER 36A
Conservation Commissions

SECTION 36-A:5

§ 36-A:5 Appropriations Authorized. – I. A town or city, having established a conservation commission as authorized by RSA 36-A:2, may appropriate money as deemed necessary for the purpose of this chapter. The whole or any part of money so appropriated in any year and any gifts of money received pursuant to RSA 36-A:4 may be placed in a conservation fund and allowed to accumulate from year to year. Money may be expended from said fund by the conservation commission for the purposes of this chapter without further approval of the town meeting.

II. The town treasurer, pursuant to RSA 41:29, shall have custody of all moneys in the conservation fund and shall pay out the same only upon order of the conservation commission. The disbursement of conservation funds shall be authorized by a majority of the conservation commission. Prior to the use of such funds for the purchase of any interest in real property, the conservation commission shall hold a public hearing with notice in accordance with RSA 675:7.

III. In the municipality that has adopted the provisions of RSA 79-A:25, II, the specified percentage of the revenues received pursuant to RSA 79-A shall be placed in the conservation fund.

Source. 1963, 168:1. 1973, 550:4. 1987, 318:2. 1988, 120:1, eff. June 18, 1988.

TITLE 5
Taxation

CHAPTER 79A
Current Use Taxation

SECTION 79-A:1

§ 79-A:1 Declaration of Public Interest. – It is hereby declared to be in the public interest to encourage the preservation of open space, thus providing a healthful and attractive outdoor environment for work and recreation of the state's citizens, maintaining the character of the state's landscape, and conserving the land, water, forest, agricultural and wildlife resources. It is further declared to be in the public interest to prevent the loss of open space due to property taxation at values incompatible with open space usage. Open space land imposes few if any costs on local government and is therefore an economic benefit to its citizens. The means for encouraging preservation of open space authorized by this chapter is the assessment of land value for property taxation on the basis of current use. It is the intent of this chapter to encourage but not to require management practices on open space lands under current use assessment.
Source. 1973, 372:1. 1991, 281:2, eff. Aug. 17, 1991. 1996, 176:2, eff. Aug. 2, 1996.

TITLE 5
Taxation

CHAPTER 79A
Current Use Taxation

SECTION 79-A:4

§ 79-A:4 Powers and Duties of Board; Rulemaking. – The board shall have the following powers and duties:

I. It shall meet at least annually, after July 1, to establish a schedule of criteria and current use values to be used for the succeeding year. It shall have the power to establish minimum acreage requirements of 10 acres or less. It shall also review all past current use values and criteria for open space land established by past boards. The board shall make such changes and improvements in the administration of this chapter as experience and public reaction may recommend.

II. The board shall reduce by 20 percent the current use value of land which is open 12 months a year to public recreational use, without entrance fee, and which also qualifies for current use assessment under an open space category. There shall be no prohibition of skiing, snowshoeing, fishing, hunting, hiking or nature observation on such open space land, unless these activities would be detrimental to a specific agricultural or forest crop or activity. The owner of land who opens his land to public recreational use as provided in this paragraph shall not be liable for personal injury or property damage to any person, and shall be subject to the same duty of care as provided in RSA 212:34.

III. The board shall annually determine, vote upon and recommend to the chairman of the board the schedule of criteria and current use values for use in the forthcoming tax year. The board shall hold a series of at least 3 public forums throughout the state to receive general comment through verbal and written testimony on the current use law. After the public forums are concluded and the board has made its recommended changes, the chairman shall proceed to adopt any proposed rules, in accordance with paragraph IV.

IV. The chairman of the board shall adopt rules, pursuant to RSA 541-A, for the schedule of criteria and current use values as recommended by the board, and for other forms and procedures as are needed to implement this chapter consistent with board recommendations and to assure a fair opportunity for owners to qualify under this chapter and to assure compliance of land uses on classified lands.

Source. 1973, 372:1. 1974, 7:4. 1977, 326:3. 1982, 33:2. 1986, 62:1. 1988, 5:3. 1991, 281:7. 1993, 205:1. 1995, 137:3, eff. May 24, 1995.

TITLE 5
Taxation

CHAPTER 79A
Current Use Taxation

Miscellaneous

SECTION 79-A:25

§ 79-A:25 Disposition of Revenues. – I. Except as provided in paragraph II, all money received by the tax collector pursuant to the provisions of this chapter shall be for the use of the town or city.
II. The legislative body of the town or city may, by majority vote, elect to place the whole or a specified percentage, amount, or any combination of percentage and amount, of the revenues of all future payments collected pursuant to this chapter in a conservation fund in accordance with RSA 36-A:5, III. The whole or specified percentage or amount, or percentage and amount, of such revenues shall be deposited in the conservation fund at the time of collection.
III. If adopted by a town or city, the provisions of RSA 79-A:25, II shall take effect in the tax year beginning on April 1 following the vote and shall remain in effect until altered or rescinded pursuant to RSA 79-A:25, IV.
IV. In any town or city that has adopted the provisions of paragraph II, the legislative body may vote to rescind its action or change the percentage or amount, or percentage and amount, of revenues to be placed in the conservation fund. Any such action to rescind or change the percentage or amount, or percentage and amount, shall not take effect before the tax year beginning April 1 following the vote.
Source. 1973, 372:1. 1988, 120:2. 1991, 281:19, 20, eff. Aug. 17, 1991.

TITLE 5
Taxation

CHAPTER 79A
Current Use Taxation

Miscellaneous

SECTION 79-A:25-a

§ 79-A:25-a Land Use Change Tax Fund. – I. Towns and cities may, pursuant to RSA 79-A:25-b, vote to account for all revenues collected pursuant to this chapter in a land use change tax fund separate from the general fund. After a vote pursuant to RSA 79-A:25-b, no land use change tax revenue collected under this chapter shall be recognized as general fund revenue for the fiscal year in which it is received, except to the extent that such revenue is appropriated pursuant to paragraph II of this section. Any land use change tax revenue collected pursuant to this chapter which is to be placed in a conservation fund in accordance with RSA 79-A:25, II, shall first be accounted for as revenue to the land use change tax fund before being transferred to the conservation fund at the time of collection.

II. After any transfer to the conservation fund required under the provisions of RSA 79-A:25, II, the surplus remaining in the land use change tax fund shall not be deemed part of the general fund nor shall any surplus be expended for any purpose or transferred to any appropriation until such time as the legislative body shall have had the opportunity at an annual meeting to appropriate a specific amount from said fund for any purpose not prohibited by the laws or by the constitution of this state. At the end of an annual meeting, any unappropriated balance of land use change tax revenue received during the prior fiscal year shall be recognized as general fund revenue for the current fiscal year.

Source. 1991, 156:1. 1992, 122:1, eff. June 30, 1992.

TITLE 5
Taxation

CHAPTER 80
Collection Of Taxes

Real Estate Tax Liens

SECTION 80:80

§ 80:80 Transfer of Tax Lien. – I. No transfer of any tax lien upon real estate acquired by a town or city as a result of the execution of the real estate tax lien by the tax collector for nonpayment of taxes thereon shall be made to any person by the municipality during the 2-year period allowed for redemption, nor shall title to any real estate taken by a town or city in default of redemption be conveyed to any person, unless the town, by majority vote at the annual meeting, or city council by vote, shall authorize the selectmen or the mayor to transfer such lien or to convey such property by deed.

II. If the selectmen or mayor are so authorized to convey such property by deed, either a public auction shall be held, or the property may be sold by advertised sealed bids. The selectmen or mayor shall have the power to establish a minimum amount for which the property is to be sold and the terms and conditions of the sale.

II-a. If the selectmen or mayor are authorized to transfer such liens during the 2-year redemption period, either a public auction shall be held, or the liens may be sold by advertised sealed bids. The selectmen or mayor may establish minimum bids, and may set the terms and conditions of the sale. Such liens may be sold singly or in combination, but no fractional interest in any lien shall be sold. Such transfer shall not affect the right of the owner or others with a legal interest in the land to redeem the tax lien pursuant to RSA 80:69, or make partial payments in redemption pursuant to RSA 80:71, but the transferee shall become the lienholder for purposes of RSA 80:72 and 80:76.

III. The selectmen may, by a specific article in the town warrant, or the mayor, by ordinance, may be authorized to dispose of a lien or tax deeded property in a manner than otherwise provided in this section, as justice may require.

IV. Such authority to transfer or to sell shall continue in effect for one year from the date of the town meeting or action by the city or town council provided, however, that the authority to transfer tax liens, or to sell real estate acquired in default of redemption, or to vary the manner of such sale or transfer as justice may require, may be granted for an indefinite period, in which case the warrant article or vote granting such authority shall use the words "indefinitely, until rescinded" or similar language.

V. Towns and cities may retain and hold for public uses real property the title to which has been acquired by them by tax collector's deed, upon vote of the town meeting or city council approving the same.

VI. For purposes of this section, the authority to dispose of the property "as justice may require" shall include the power of the selectmen or mayor to convey the property to a former owner, or to a third party for benefit of a former owner, upon such reasonable terms as may be agreed to in writing, including the authority of the municipality to retain a mortgage interest in the property, or to reimpose its tax lien, contingent upon an agreed payment schedule, which need not necessarily reflect any prior redemption amount. Any such agreement shall be recorded in the registry of deeds. This paragraph shall not be construed to obligate any municipality to make any such conveyance or agreement.

Source. 1987, 322:1. 1992, 173:3, 4. 1993, 176:10, eff. Aug. 8, 1993. 1997, 266:4, eff. Jan. 1, 1998.

TITLE 18
Fish And Game

CHAPTER 212
Propagation Of Fish And Game

Liability of Landowners

SECTION 212:34

§ 212:34 Duty of Care. – I. An owner, lessee or occupant of premises owes no duty of care to keep such premises safe for entry or use by others for hunting, fishing, trapping, camping, water sports, winter sports or OHRVs as defined in RSA 215-A, hiking, sightseeing, or removal of fuelwood, or to give any warning of hazardous conditions, uses of, structures, or activities on such premises to persons entering for such purposes, except as provided in paragraph III hereof.

II. An owner, lessee or occupant of premises who gives permission to another to hunt, fish, trap, camp, hike, use OHRVs as defined in RSA 215-A, sightsee upon, or remove fuelwood from, such premises, or use said premises for water sports, or winter sports does not thereby:

(a) Extend any assurance that the premises are safe for such purpose, or

(b) Constitute the person to whom permission has been granted the legal status of an invitee to whom a duty of care is owed, or

(c) Assume responsibility for or incur liability for an injury to person or property caused by any act of such person to whom permission has been granted except as provided in paragraph III hereof.

III. This section does not limit the liability which otherwise exists:

(a) For willful or malicious failure to guard or warn against a dangerous condition, use, structure or activity; or

(b) For injury suffered in any case where permission to hunt, fish, trap, camp, hike, use for water sports, winter sports or use of OHRVs as defined in RSA 215-A, sightsee, or remove fuelwood was granted for a consideration other than the consideration, if any, paid to said landowner by the state; or

(c) The injury caused by acts of persons to whom permission to hunt, fish, trap, camp, hike, use for water sports, winter sports or use of OHRVs as defined in RSA 215-A, sightsee, or remove fuelwood was granted, to third persons as to whom the person granting permission, or the owner, lessee or occupant of the premises, owed a duty to keep the premises safe or to warn of danger.

Source. 1961, 201:1. 1969, 77:1-3. 1973, 560:4. 1977, 208:1. 1981, 146:5, VI, eff. Jan. 1, 1982; 538:7, 13, eff. June 30, 1981.

TITLE 18
Fish And Game

CHAPTER 215A
Off Highway Recreational Vehicles And Trails

SECTION 215-A:1

§ 215-A:1 Definitions. – As used in this chapter unless the context clearly indicates otherwise, the following words and phrases shall have the following meanings:
I. "Accompanied by" means when a person is within sight and when actual physical direction and control can be effected.
I-a. "Antique snow traveling vehicle" means any snow traveling vehicle manufactured prior to the year 1969 or 20 or more years old owned by a resident of the state. For the purposes of this chapter, all vehicles within this definition shall be classified as off highway recreational vehicles.
I-b. "All terrain vehicle (ATV)" means any motor-driven vehicle which is designed or adapted for travel over surfaces other than maintained roads with one or more tires designed to hold not more than 10 pounds per square inch of air pressure, having capacity for passengers or other payloads, not to exceed 1,000 pounds net vehicle weight, and not to exceed 50 inches in width. For the purposes of this chapter, all vehicles within this definition shall be classified as off highway recreational vehicles.
II. "Bureau" means the bureau of trails in the department of resources and economic development.
III. "Cowl" means the forward portion of a snow traveling vehicle surrounding the motor.
IV. "Executive director" means the executive director of the fish and game department.
V. "OHRV" means off highway recreational vehicle.
VI. "Off highway recreational vehicle" means any mechanically propelled vehicle used for pleasure or recreational purposes running on rubber tires, belts, cleats, tracks, skis or cushion of air and dependent on the ground or surface for travel, or other unimproved terrain whether covered by ice or snow or not, where the operator sits in or on the vehicle. All legally registered motorized vehicles when used for off highway recreational purposes shall fall within the meaning of this definition; provided that, when said motor vehicle is being used for transportation purposes only, it shall be deemed that said motor vehicle is not being used for recreational purposes. For purposes of this chapter "off highway recreational vehicle" shall be abbreviated as OHRV.
VII. "Operate", in all its moods and tenses, when it refers to an OHRV, means to use that vehicle in any manner for transportation.
VIII. "Operator" means a person riding on or in, and who is in actual physical control of, an OHRV.
IX. "Owner" means any person, other than a lienholder, having title to an OHRV.
X. "Public way" means any public highway, street, sidewalk, avenue, alley, park or parkway, or any way that is funded by state, city, town, county, or the federal government, or laid out by statute, or any parking lots open for use by the public or vehicular traffic, or any frozen surface of a public body of water; provided, however, the off highway portion of any trail established specifically for OHRVs shall not be a public way.
XI. "Public water" means any public body of water as defined by RSA 271:20 which has been frozen over and is sufficient to hold any person or vehicle, whatsoever. Such public waters shall be deemed a public way and any violation shall be treated as if it took place on land.
XII. "Resident" means a citizen of the United States who has lived and made his home continuously within the state not less than 6 months next and has paid his current resident tax prior to his application

for registration of an OHRV and has not during that period claimed a residence in any other state for any purpose.
XIII. "Snow traveling vehicle" means any vehicle propelled by mechanical power that is designed to travel over ice or snow supported in part by skis, belts or cleats. For the purposes of this chapter, all vehicles within this definition shall be classified as off highway recreational vehicles.
XIV. "Trail bike" means any motor-driven wheeled vehicle on which there is a saddle or seat for the operator or passenger or both and which is designed or adapted for travel over surfaces other than maintained roads, whether covered by ice or snow or not. For the purposes of this chapter, all vehicles within this definition shall be classified as off highway recreational vehicles.
XV. "Registered for Highway Use" means any OHRV as defined in RSA 215-A:1, VI or trail bike as defined in RSA 215-A:1, XIV which is registered for use on the highways of the state under the provisions of RSA 261. Said registered vehicles shall comply with the provisions of RSA 215-A:35-39.
XVI. "Traveled portion" means all areas of a public highway between the plowed snowbanks.
XVII. "Trail connector" means that specific portion of an OHRV trail authorized within a state highway right-of-way by the department of transportation.
Source. 1981, 538:3. 1983, 449:1. 1985, 137:1; 261:1, 2. 1986, 152:2-6. 1989, 179:1. 1993, 53:3, eff. June 15, 1993. 1997, 268:2, eff. July 1, 1997.

TITLE 18
Fish And Game

CHAPTER 215A
Off Highway Recreational Vehicles And Trails

SECTION 215-A:34

§ 215-A:34 Posted Land. – I. An owner may post all or any portion of his land against use by an OHRV. Such notices may read "SNOW TRAVELING VEHICLES PROHIBITED" or "OHRVs PROHIBITED" or may have in lieu of these words an appropriate sign with the designated symbol of sufficient size to be readable at a distance of 50 feet indicating that use of this land is prohibited for the purpose so specified. Whoever without right enters such land that has been so posted shall be guilty of a violation. Provided, however, that failure of an owner to post his land as provided in this section shall not be construed as granting any license to users of OHRVs to enter said premises, nor shall said failure be construed as implying any duty of care to the user of an OHRV by the owner.

II. It is recognized that OHRV operation may be hazardous. Therefore, each person who drives or rides an OHRV accepts, as a matter of law, the dangers inherent in the sport, and shall not maintain an action against an owner, occupant, or lessee of land for any injuries which result from such inherent risks, dangers, or hazards. The categories of such risks, hazards, or dangers which the OHRV user assumes as a matter of law include, but are not limited to, the following: variations in terrain, trails, paths or roads, surface or subsurface snow or ice conditions, bare spots, rocks, trees, stumps, and other forms of forest growth or debris, structures on the land, equipment not in use, pole lines, fences, and collisions with other operators or persons.

Source. 1981, 538:3. 1983, 449:16. 1985, 193:1, eff. July 30, 1985.

TITLE 20
Transportation

CHAPTER 228
Administration of Transportation Laws

Railroads and Other Common Carriers

SECTION 228:67

§ 228:67 Disposition of Acquired or Abandoned Rail Properties. – Whenever the commissioner determines that certain acquired or abandoned rail properties owned by the state pursuant to RSA 228:60-a, II; 228:60-a, VI; 228:60-b; or any other means are no longer needed, he may transfer or sell such rail properties, excluding the railroad bed and right-of-way lying within a corridor, to any other state department or agency, or political subdivision of the state, which will utilize such properties for public purposes and, if no state department or agency, or political subdivision, wants such properties, the commissioner may sell them, with the proceeds from the sale distributed to the Federal Railroad Administrator, Department of Transportation, in accordance with the grant agreement for the federal share of the participation in the original purchase of the rail properties. The balance shall be deposited into the special fund established in RSA 228:68. Such transfer or sale shall require approval of the long range capital planning and utilization committee and the governor and council. For the purpose of this section, "corridor" shall mean from the point of origin of railroad tracks or bed and right-of-way to the point of terminus within the state, excluding spur lines and sidings which are incidental to the main line.
Source. 1981, 568:55. 1986, 217:4. 1990, 94:1, eff. June 12, 1990.

TITLE 20
Transportation

CHAPTER 231A
Municipal Trails

SECTION 231-A:1

§ 231-A:1 Class A and B Trails. – I. A class A trail shall be a full public right-of-way, of indefinite duration subject to public trail use restrictions. It shall not have the status of a publicly approved street, and shall not be used as a vehicular access for any new building or structure, or for the expansion, enlargement, or increased intensity of use of any existing building or structure. It may, however, be used by the owners of land abutting on such trail, or land served exclusively by such trail, to provide access for such nondevelopment uses as agriculture and forestry, or for access to any building or structure existing prior to its designation as a trail, and such owners' access for such uses shall be exempt from applicable public trail use restrictions, subject only to reasonable time, season and manner regulations imposed by the local governing body. The municipality shall bear no responsibility for maintaining the trail for such uses by abutting owners. Such owners shall, prior to excavation, construction or disturbance of a class A trail, obtain permission from the municipal officers, in the same manner prescribed for highways in RSA 236:9-11.

II. A class B trail shall be a full public right-of-way of indefinite duration subject to public trail use restrictions. It shall not have the status of a publicly approved street, shall not be used as a vehicular access for any new or existing building or structure, and shall not be used by the owners of land served by or abutting on such trail in any manner inconsistent with applicable public trail use restrictions.

Source. 1993, 60:2, eff. Jan. 1, 1994.

TITLE 20
Transportation

CHAPTER 231A
Municipal Trails

SECTION 231-A:2

§ 231-A:2 Reclassification of Highways; Damages. – I. Any class V or VI highway may be reclassified as a class A or class B trail, and any class A trail may be reclassified as a class B trail, by vote of the local legislative body.
II. In accordance with RSA 231:43, no highway of any class which provides the sole access to any land shall be reclassified as a class B trail without the written consent of the owner of that land.
III. Whenever a reclassification is made under this section, any aggrieved landowner may appeal, or may petition for the assessment of damages, in the same manner as in the discontinuance of highways pursuant to RSA 231:48 and 231:49, and the amount of damages, if any, shall reflect the landowner use provisions set forth in RSA 231-A:1.

Source. 1993, 60:2, eff. Jan. 1, 1994.

TITLE 20
Transportation

CHAPTER 231A
Municipal Trails

SECTION 231-A:4

§ 231-A:4 Public Trail Use Restrictions. – In this chapter "public trail use restrictions" means any restrictions upon use of a trail by the general public. Such restrictions may be imposed by a landowner as a condition of grant or dedication of a trail acquired under RSA 231-A:5, or by vote of the local legislative body or its designee at or subsequent to the time the trail is established, or by the local governing body under RSA 41:11. Such restrictions may include, but are not limited to, prohibition of motor vehicles, prohibition of wheeled vehicles, prohibition of off highway recreational vehicles, or restriction to specified modes of travel such as horse, bicycle, or foot. Such restrictions, if posted using legible signs at entrances to the trail from public highways, or at any property boundaries where new or different restrictions become applicable, shall be enforceable in the same manner as traffic violations as set forth in RSA 265. Any person violating such restrictions shall be guilty of a violation.
Source. 1993, 60:2, eff. Jan. 1, 1994.

TITLE 20
Transportation

CHAPTER 231A
Municipal Trails

SECTION 231-A:5

§ 231-A:5 Acquisition of New Trails. – I. Municipalities shall not use the power of eminent domain to establish trails.

II. A class A or B trail may be established by the local legislative body or its designee over any land previously acquired by the municipality, including land acquired by the conservation commission pursuant to RSA 36-A:4, or town forests established pursuant to RSA 31:110, unless the establishment of such trail would violate any right or interest reserved or retained by a prior grantor or held by a third party.

III. The local legislative body or its designee may acquire, by dedication and acceptance or by gift, purchase, grant or devise:

(a) Any class A or B trail, subject to such public trail use restrictions as may be imposed by deed by the owner or grantor; or

(b) Any lesser interest in land for trail purposes, including but not limited to a revocable easement, revocable license, lease or easement of finite duration, or conservation restriction, subject to such public trail use restrictions and such reserved rights as may be imposed by or agreed upon with the owner or grantor.

IV. A properly established conservation commission may utilize RSA 36-A:4 for the acquisition of trails.

Source. 1993, 60:2, eff. Jan. 1, 1994.

TITLE 20
Transportation

CHAPTER 231A
Municipal Trails

SECTION 231-A:8

§ 231-A:8 Liability Limited. – I. All trails established under this chapter shall be deemed to constitute land open without charge for recreational or outdoor educational purposes pursuant to RSA 212:34 and RSA 508:14, I, and the liability of owners, lessees or occupants of land affected by a trail, and of the municipality establishing the trail, shall be limited as set forth in those statutes.

II. The liability of any person performing volunteer management or maintenance activities for or upon any trail established under this chapter, with the prior written approval of the body or organization with supervision over trail management pursuant to RSA 231-A:7, shall be limited as set forth in RSA 508:17, and such management shall not be deemed "care of the organization's premises" under RSA 508:17, IV.

Source. 1993, 60:2, eff. Jan. 1, 1994.

TITLE 20
Transportation

CHAPTER 231
Cities, Towns and Village District Highways

Liability of Municipalities

SECTION 231:93

§ 231:93 When Municipalities Not Liable. – Municipalities shall not be deemed to have any duty of care whatsoever with respect to the construction, maintenance or repair of class I, III, III-a or VI highways, or state maintained portions of class II highways. Upon any highway or other way with respect to which a municipality is found to have a duty of care of any kind, its liability shall be limited as set forth in this subdivision.
Source. RS 105:4. 1945, 188:1, part 18:18. RSA 247:18. 1981, 87:1. 1991, 385:7. 1992, 265:14, eff. July 1, 1992.

TITLE 21
Motor Vehicles

CHAPTER 260
Administration Of Motor Vehicle Laws

Road Tolls

SECTION 260:61

§ 260:61 Credit Provided; Liability Insurance. – I. Annually on or before June 30 the state treasurer shall transfer, from road tolls collected, an amount equal to the number of licensed OHRVs for the previous year times the average number of gallons consumed per year per OHRV times the gasoline road toll imposed under RSA 260:32, less any amount refunded for OHRV use for the previous year, to the OHRV bureau. For the purposes of this section, "the average number of gallons consumed per year per OHRV" is 50. The OHRV bureau shall use 66-2/3 percent of the amount credited for grants under its grant-in-aid program, and 33-1/3 percent for general operating expenses and expenses incurred in administering and supervising the grant-in-aid program. Any balances in the funds hereby transferred shall not lapse at the end of the fiscal year but shall remain in the OHRV fund.
II. The OHRV bureau's grant-in-aid program shall bear the expenses of the following:
(a) A liability insurance policy for the benefit of landowners who allow snowmobilers to use their property, and
(b) A liability insurance policy for the benefit of landowners who lease their land to the state of New Hampshire for use by snowmobilers.
Source. RSA 265:29-a. 1979, 298:1. 1981, 146:1. 1983, 449:29. 1993, 320:1, eff. June 23, 1993.

TITLE 52
Actions, Process, And Service Of Process

CHAPTER 508
Limitation of Actions

SECTION 508:14

§ 508:14 Landowner Liability Limited. – I. An owner, occupant, or lessee of land, including the state or any political subdivision, who without charge permits any person to use land for recreational purposes or as a spectator of recreational activity, shall not be liable for personal injury or property damage in the absence of intentionally caused injury or damage.

II. An owner of land who permits another person to gather the produce of the land under pick-your-own or cut-your-own arrangements, provided said person is not an employee of the landowner and notwithstanding that the person picking or cutting the produce may make remuneration for the produce to the landowner, shall not be liable for personal injury or property damage to any person in the absence of willful, wanton, or reckless conduct by such owner.

Source. 1975, 231:1. 1979, 439:1. 1981, 293:2. 1985, 193:2, eff. July 30, 1985.

TITLE 52
Actions, Process, And Service Of Process

CHAPTER 508
Limitation of Actions

SECTION 508:17

§ 508:17 Volunteers; Nonprofit Organizations; Liability Limited. – I. Any volunteer of a nonprofit organization or government entity shall be immune from civil liability in any action brought on the basis of any act or omission resulting in damage or injury to any person if:
(a) The volunteer had prior written approval from the organization to act on behalf of the organization; and
(b) The volunteer was acting in good faith and within the scope of his official functions and duties with the organization; and
(c) The damage or injury was not caused by willful, wanton, or grossly negligent misconduct by the volunteer.
I. Any person who is a volunteer of a nonprofit organization or government entity shall be immune from civil liability in any action brought on the basis of any act or omission resulting in damage or injury to any person if:
(a) The nonprofit organization or government entity has a record indicating that the person claiming to be a volunteer is a volunteer for such organization or entity; and
(b) The volunteer was acting in good faith and within the scope of his official functions and duties with the organization; and
(c) The damage or injury was not caused by willful, wanton, or grossly negligent misconduct by the volunteer.
I-a. The following form shall be sufficient as a writing required under this section and shall serve as prima facie evidence of the approval required under paragraph I:
Dear _____:
You are hereby recognized as a volunteer of the (name of organization) which exists for the following purposes (list purposes). Your tenure as a volunteer will continue until your resignation or until your termination by the organization. The purpose of this letter is to comply with the provisions of RSA 508:17, the volunteer immunity law, as that law may be amended from time to time.
Thank you for your service.
_____&# 95;__ _____
Authorized Officer Officer
I-a. [Repealed.]
II. Liability of a nonprofit organization for damage or injury sustained by any one person in actions brought against the organization alleging negligence on the part of an organization volunteer is limited to $250,000. Such limit applies in the aggregate to any and all actions to recover for damage or injury sustained by one person in a single incident or occurrence. Liability of a nonprofit organization for damage or injury sustained by any number of persons in a single incident or occurrence involving negligence on the part of an organization volunteer is limited to $1,000,000.
III. Nothing in this section shall be construed to affect any civil action brought by any nonprofit organization against any volunteer of such organization.

IV. Volunteer activity related to transportation or to care of the organization's premises shall be excepted from the provisions of paragraph I of this section.

V. In this section:

(a) "Damage or injury" includes physical, nonphysical, economic and noneconomic damage and property damage.

(b) "Nonprofit organization" shall include, but not be limited to, a not for profit organization, corporation, community chest, fund or foundation organized and operated exclusively for religious, cultural, charitable, scientific, recreational, literary, agricultural, or educational purposes, or to foster amateur competition in a sport formally recognized by the National Collegiate Athletic Association, and an organization exempt from taxation under section 501(c) of the Internal Revenue Code of 1986 organized or incorporated in this state or having a principal place of business in this state.

(c) "Volunteer" means an individual performing services for a nonprofit organization or government entity who does not receive compensation, other than reimbursement for expenses actually incurred for such services. In the case of volunteer athletic coaches or sports officials, such volunteers shall possess proper certification or validation of competence in the rules, procedures, practices, and programs of the athletic activity.

Source. 1988, 280:1. 1990, 116:1-3, eff. Jan. 1, 1991. 1998, 255:1, 2, eff. Jan. 1, 1999.

TITLE 64
Planning And Zoning

CHAPTER 674
Local Land Use Planning And Regulatory Powers

Master Plan

SECTION 674:2

§ 674:2 Master Plan Purpose and Description. – The master plan shall generally be comprised of a report or set of statements and land use and development proposals with accompanying maps, diagrams, charts and descriptive matter designed to show as fully as is possible and practical the planning board's recommendations for the desirable development of the territory legally and logically within its planning jurisdiction. The master plan shall be a public record subject to the provisions of RSA 91-A, the sole purpose and effect of which shall be to aid the planning board in the performance of its duties. The master plan shall include, if it is appropriate or if it is specifically required as a prerequisite for the adoption of implementation measures, the following specific sections, to be adapted by the planning board to the special requirements of the municipality:

I. A general statement which shall include such topics as the objectives, principles, assumptions, policies and standards upon which the constituent proposals for the physical and socioeconomic development of the municipality are based.

II. A land use section which takes into account natural conditions and which shows the existing conditions and the proposed location, extent, and intensity of future land usage.

III. A housing section which analyzes existing housing resources and addresses current and future housing needs of residents of all levels of income of the municipality and of the region in which it is located, as identified in the regional housing needs assessment performed by the regional planning commission pursuant to RSA 36:47, II.

IV. A transportation section showing the location and types of facilities for all modes of transportation required for the efficient movement of people and goods into, about, and through the municipality.

V. A utility and public service section analyzing the need for and showing the present and future general location of existing and anticipated public and private utilities, their supplies and distribution and storage facilities.

VI. A community facilities section showing the location of, type, and need for educational or cultural facilities, historic sites, libraries, hospitals, fire houses, police stations and other related facilities, including their relation to the surrounding areas.

VII. A recreation section which shows existing recreation facilities and which addresses future recreation needs.

VIII. A conservation and preservation section which may provide for the preservation, conservation, and use of natural and man-made resources. The conservation and preservation section of the master plan should include a local water resources management and protection plan as specified in RSA 4-C:22. This plan should be reviewed and revised as necessary at intervals not to exceed 5 years.

VIII-a. A construction materials section which summarizes known sources of construction materials which are available for future construction materials needs, including, at a minimum, the location and

estimated extent of excavations which have been granted permits under RSA 155-E, as well as reports filed pursuant to RSA 155-E:2, I(d) with respect to non-permitted excavations.

IX. Appendices or separate reports, where appropriate, which contain the underlying scientific and statistical data for the master plan and its constituent elements.

Source. 1983, 447:1. 1986, 167:2. 1988, 270:1. 1989, 339:28, eff. Jan. 1, 1990; 363:15, eff. Aug. 4, 1989.

TITLE 64
Planning And Zoning

CHAPTER 674
Local Land Use Planning And Regulatory Powers

Master Plan

SECTION 674:3

§ 674:3 Master Plan Preparation. – I. The planning board in the course of preparing and amending or revising the master plan may make surveys and studies and may review data and information relative to the existing conditions and probable future growth of the municipality and its environs. The master plan shall be made with the general purpose of guiding and accomplishing coordinated and harmonious development which will, in accordance with existing and probable future needs, promote health, safety, order, convenience, prosperity, or the general welfare as well as efficiency and economy in the process of development.

II. The master plan shall include, among other things, adequate provision for traffic, the promotion of safety from fire and other dangers, adequate provision for light and air, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities and other public requirements.

III. During the preparation of the various sections of the master plan, the board shall inform the general public and solicit public comments regarding the future growth of the municipality in order to involve citizens in the preparation of the master plan in a way which is most appropriate for the municipality.

Source. 1983, 447:1, eff. Jan. 1, 1984.

TITLE 64
Planning And Zoning

CHAPTER 674
Local Land Use Planning And Regulatory Powers

Master Plan

SECTION 674:4

§ 674:4 Master Plan Adoption and Amendment. – The planning board may, according to the procedures required under RSA 675:6, adopt the master plan as a whole, or may adopt successive sections or parts of the plan. Sections or parts of the plan shall correspond with major geographical sections or divisions of the municipality, or with the functional elements of the plan, and may incorporate any amendment, extension, or addition to the plan.
Source. 1983, 447:1, eff. Jan. 1, 1984.

RESOURCE REFERENCES

Publications

A Hard Road to Travel, H. Bernie Waugh Jr. of the New Hampshire Municipal Association 1997

New Hampshire Non-Motorized Multi-Use Trails Manual, Merrimack River Watershed Council 1996

Building Foot Trails: A Guide for Towns and Landowners, Ted Bonner circa 1996

Best Management Practices for Erosion Control During Trail Maintenance and Construction, NH Department of Resources and Economic Development 1996

Handbook for Municipal Conservation Commissions in New Hampshire, NH Association of Conservation Commissions, 1988 with revisions through 1997

At What Cost? Shaping the Land We Call New Hampshire, edited by Richard Ober, Society for the Protection of NH Forests 1992

Trails for the 21st Century: A Planning, Design, and Management Manual for Multi-Use Trails, Rails-to-Trails Conservancy 1993

Secrets of Successful Rail-Trails: An Acquisition and Organizing Manual for Converting Rails into Trails, Rails-to-Trails Conservancy 1993

Concord Trail System, Concord Conservation Commission 1997

NH / Central Region Public Land Trusts

Audubon Society of NH
Silk Farm Road, PO Box 8200
Concord, NH 03301 ⅄ 224-9909

Ausbon Sargent Land Preservation Trust
Deborah Stanley, Executive Director
PO Box 2040
New London, NH 03257 ⅄ 526-6555

Bearpaw Regional Greenways
Frank Mitchell, President
PO Box 19
Deerfield, NH 03037 ⅄ 463-7562

Bow Open Spaces
Bob Dawkins, Treasurer
41 South Bow Road
Bow, NH 03304 ⅄ 225-3678

Concord Conservation Trust
Douglas Woodward, Chair
54 Portsmouth Street
Concord, NH 03303 ⅄ 224-9945

Gilmanton Land Trust
c/o Tom Howe and Sarah Thorne
RFD 1 Box 429
Gilmanton IW, NH 03837 ⅄ 364-6131

Harris Center for Conservation Education
Meade Cadot, Director
341 Kings Highway
Hancock, NH 03449 ⅄ 525-3394

Highland Lake Association
James Lane, President
PO Box 103
Washington, NH 03280

Lakes Region Conservation Trust
Tom Curren, Executive Director
PO Box 1097
Meredith, NH 03253 ⅄ 279-3246

The Nature Conservancy
2 1/2 Beacon Street, Suite 6
Concord, NH 03301 ⅄ 224-5853

Society for the Protection of NH Forests
54 Portsmouth Street
Concord, NH 03301 ⅄ 224-9945

Trust for Public Lands
Peter Forbes, Regional Director
33 Union Street
Boston, MA 02108 ⅄ (617) 367-6200

Turkey River Basin Trust
Mary Louise Hancock, Chair
33 Washington Street
Concord, NH 03301 ⅄ 225-9721

State / Other Agencies

Appalachian Mountain Club (AMC)
Business Office
PO Box 298
Gorham, NH 03581 ⅄ 466-2721

Army Corps of Engineers (ACE)
424 Trapelo Road
Waltham, MA ⅄ (617) 647-8111

Central NH Regional Planning Commission (CNHRPC)
12 Cross Street
Penacook, NH 03303 ⅄ 753-9374

Trails Bureau
NH Department of Resources and Economic Development (NH DRED)
172 Loudon Road, PO Box 1856
Concord, NH 03302-1856 ⅄ 271-3254

NH Department of Revenue Administration (NH DRA)
45 Chennell Drive, PO Box 457
Concord, NH 03302-0457 ⅄ 271-2191

NH Municipal Association (NHMA)
Triangle Park Drive, PO Box 617
Concord, NH 03302 ⅄ (800) 852-3358

Rivers and Trails
National Park Service (NPS)
5 Thomas Hill
Woodstock, VT 05091 ⅄ (802) 457-4323

NH Association of Conservation Commissions (NHACC)
54 Portsmouth Street
Concord, NH 03301 ⅄ 224-9945

NH Department of Environmental Services (NH DES)
6 Hazen Drive, PO Box 95
Concord, NH 03305 ⅄ 271-3503

NH Department of Transportation (NH DOT)
1 Hazen Drive, PO Box 483
Concord, NH 03305 ⅄ 271-6495

Merrimack County Conservation District
10 Ferry Street, Box 312
Concord, NH 03301 ⅄ 223-6023

Hillsborough County Conservation District
468 Route 13 South
Milford, NH 03055 ⅄ 673-2409

Merrimack County (UNH) Cooperative Extension
315 Daniel Webster Highway
Boscawen, NH 03303 ⅄ 225-5505

Hillsborough County (UNH) Cooperative Extension
Route 114
Goffstown, NH 03045 ⅄ 624-9481

Rails-to-Trails Conservancy
1100 Seventeenth Street NW
Washington, DC 20036 ⅄ (202) 331-9696

NH Office of State Planning
2 1/2 Beacon Street
Concord, NH 03301 ⅄ 271-2155

NH Fish and Game
2 Hazen Drive, PO Box 6500
Concord, NH 03305 ⅄ 271-3421

Citizens for NH Land and Community Heritage
54 Portsmouth Street
Concord, NH 03301 ⅄ 224-9945

US Army Corps of Engineers
New England District
424 Trapelo Road
Waltham, MA 02254 ⅄ (617) 647-8220

Central Region Conservation Commissions

Allenstown Conservation Commission
Town Hall
16 School Street
Allenstown, NH 03275 ⅄ 485-4276

Boscawen Conservation Commission
Town Hall
17 High Street
Boscawen, NH 03303 ⅄ 796-2426

Bow Conservation Commission
Town Hall
10 Grandview Road
Bow, NH 03304 ⅄ 225-3008

Bradford Conservation Commission
Town Hall
75 West Main Street
Bradford, NH 03221 ⅄ 938-5900

Canterbury Conservation Commission
Town Hall
Hackleboro Road, PO Box 500
Canterbury, NH 03224 ⅄ 783-9955

Chichester Conservation Commission
Town Hall
54 Main Street
Chichester, NH 03234 ⅄ 798-5350

Concord Conservation Commission
City Hall
41 Green Street
Concord, NH 03301 ⅄ 225-8515

Deering Conservation Commission
Town Hall
RR 1, Box 166
Hillsboro, NH 03244 ⅄ 464-3248

Dunbarton Conservation Commission
Town Hall
1011 School Street
Dunbarton, NH 03045 ⅄ 774-3541

Epsom Conservation Commission
Town Hall
Suncook Valley Highway, PO Box 10
Epsom, NH 03234 ⅄ 736-9002

Henniker Conservation Commission
Town Hall
2 Depot Hill Road
Henniker, NH 03242 ⅄ 428-3221

Hillsboro Conservation Commission
Town Hall
29 School Street, PO Box 7
Hillsboro, NH 03244 ⅄ 464-3877

Hopkinton Conservation Commission
Town Hall
330 Main Street
Hopkinton, NH 03229 ⅄ 746-3170

Loudon Conservation Commission
Town Hall
29 South Village Road, PO Box 7837
Loudon, NH 03301 ⅄ 798-4541

Pembroke Conservation Commission
Town Hall
311 Pembroke Street
Pembroke, NH 03275 ⅄ 485-4747

Pittsfield Conservation Commission
Town Hall
85 Main Street, PO Box 98
Pittsfield, NH 03263 ⅄ 435-6773

Salisbury Conservation Commission
Town Hall
9 Old Church Road, PO Box 214
Salisbury, NH 03268 ⅄ 648-2473

Sutton Conservation Commission
Town Hall
93 Main Street, PO Box 85
North Sutton, NH 03260 ⅄ 927-4416

Warner Conservation Commission
Town Hall
5 East Main Street, PO Box 265
Warner, NH 03278 ⅄ 456-2298

Webster Conservation Commission
Town Hall
945 Battle Street
Webster, NH 03303 ⅄ 648-2272

STEPS TO CREATING A MUNICIPAL TRAIL SYSTEM

Steps to Creating a Municipal Trail System

1. **Gather an Interested Group of People - Sponsored by Your Conservation Commission**
   - local officials (Conservation Commission, Planning Board, Selectmen, Historic District Commission, Recreation Department)
   - landowners, enthusiasts and retired folks
   - snowmobile, biking, and equestrian clubs
   - teachers and school children, Boy and Girl Scouts

2. **Produce a Plan for Your Town - the Open Space Trail System Plan!**

   A. Inventory Conservation and Public Lands
   - produce a detailed description of each of the permanently conserved lands in Town and other Town or State-owned lands
   - include parcel information relevant to an Open Space Trail System Plan
   - map the locations of existing conservation and public lands

   B. Inventory Existing Trails, Rights-of-Way, Class VI Roads, and Utility Corridors
   - produce a detailed listing of the information about each right-of-way or trail
   - include parcel information relevant to an Open Space Trail System Plan
   - record the actual location of select trails by using Global Positioning System (GPS) technology
   - map the locations of trails, rights-of-way, Class VI roads and utility corridors

   C. Determine Where to Link Trails or Create New Trails & Land to Protect from Future Development
   - determine users of the trails and choose locations where trail connections would be most advantageous, making sure to focus on those parcels which reflect findings of the Master Plan
   - map the future potential trails and conservation land based upon inventory analysis
   - include appendices of maps, sample landowner agreements, sample conservation easement deeds, trail checklists, volunteer liability forms, statutes, sample warrant articles

3. **Implement the Plan - Now Here's the Hard and Rewarding Part!**
   - The Conservation Commission should take the lead on the following:
     - adoption of the Plan by the Planning Board as a component of the Master Plan
     - Town designation of select trails as official (enforceable) Class A & B trails
     - contact landowners of identified parcels and initiate the process of seeking permission
     - pursue grants, volunteer labor, local donations, technical expertise
     - trail construction and maintenance

4. **Promote the Trails and Conservation Lands - Create a Trails Committee**
   - meet on a regular basis to coordinate trails happenings
   - decide what uses of each trail are most appropriate
   - produce a brochure or small guidebook of the trails with descriptions
   - ask for volunteer "trailmeisters" to maintain trails and report problems
   - partner with other public/private groups in Town or local schools
   - hold trail maintenance events, tours along trails, or trails naming contests
   - produce signage

VOLUNTEER LIABILITY FORM

(on Conservation Commission letterhead)

Volunteer Liability Form

NH Revised Statutes Annotated 508:17

LOUDON CONSERVATION COMMISSION

What is RSA 508:17?

It states that volunteers working for nonprofit organizations are not held liable for damages or accidents that may occur while acting with good faith during their volunteer tenure with the organization. In the case of the duly organized Loudon Conservation Commission, of which the Trails Committee is a subcommittee of, such volunteer work includes trail-related activities, equipment handling, site investigation, and other duties associated with being a volunteer for this organization. RSA 508:17 protects you from civil liability.

Dear _____,

You are hereby recognized as a volunteer of the Loudon Conservation Commission, which exists for the following purposes:

- to regularly inventory natural resources and open space;
- to acquire and manage conservation land in an effective manner;
- to create and maintain recreational trails for the benefit of the public;
- to monitor the proper adherence of protective ordinances and legislation; and
- to provide guidance to the Planning Board and Board of Selectmen on conservation-related matters.

Your tenure as a volunteer will continue until your resignation or until your termination by the organization.

Thank you for your service.

_____ _____

Chair, Loudon Conservation Commission Date

_____ _____

Selectman, Loudon Board of Selectmen Date

08/01/01

VOLUNTEER TRAIL MAINTENANCE AGREEMENT "ADOPT-A-TRAIL"

(on Conservation Commission letterhead)

Volunteer Trail Maintenance Agreement
"Adopt-A-Trail"

LOUDON CONSERVATION COMMISSION

I/We, _____ of _____, Loudon, (herein after referred to as "Trailmeister") hereby volunteer to periodically monitor and maintain the

_____ Trail (herein after referred to as the "Trail") of the Town of Loudon in accordance with the attached Trail Maintenance Job Description.

I/We also agree to coordinate with the Trails Committee of the Loudon Conservation Commission on a regular basis to report on activities related to the Trail, using the attached Trail Report Form as a guide.

If I/We cannot to fulfill the duties as a Trailmeister as noted in the attached Trail Maintenance Job Description, I/We agree to inform the Chair of the Trails Committee who may offer another person/family the opportunity to "Adopt" this Trail.

I/We may, with written notice to the Chair of the Trails Subcommittee, resign from my/our volunteer Trailmeister duties at any time.

_____ _____
Trailmeister Date

_____ _____
Trailmeister Date

_____ _____
Chair, Loudon Trails Committee Date

_____ _____
Chair, Loudon Conservation Commission Date

TRAIL MAINTENANCE GUIDELINES "JOB DESCRIPTION"

(on Conservation Commission letterhead)

Trail Maintenance Guidelines:
a "Job Description"
for the Volunteer Trailmeister

LOUDON CONSERVATION COMMISSION

Welcome, Trailmeister! Thank you for volunteering your time and energy to the recreational trails within the Town. We are very proud of what we have accomplished and look forward to more ways to share our trails with the public. Volunteer efforts are the foundation of our success. We believe you will find your experience rewarding and satisfying. In order to help you with your efforts, this "Job Description" outlines what is asked of you as a Trailmeister:

Periodic Services of the Trailmeister

Guideline 1
Trail Reporting

- Walk your Trail and report problems or interesting finds you encounter on a Trail Report Form.
- Coordinate with the Trails Committee on a regular basis:
- Orally report on your Trail
- Provide a copy of the Report Form to the Chair of the Trails Committee for permanent recordkeeping.

Guideline 2
Trail Maintenance

- Perform light trail maintenance on a periodic basis such as picking up trash, removing fallen limbs, filling map boxes with maps, and trimming overgrown branches.
- We do not expect you to perform hard labor on your own! If you are interested, tools and expertise are available to you for larger projects such as removing fallen trees, installing map boxes, or blazing the trail. If not, a team of Trails Overseers will gladly do harder tasks.

In addition to **Trail Reporting** and **Trail Maintenance**, we also hold other events, activities, and gatherings such as monthly Trails Committee meetings, National Trails Day, trail blazing, or new trail construction. A Trails Guidebook, a document intended to provide the public with maps and narratives about every maintained trail within the Town, will be created. We can find something for every interest - just ask!

If at any time you have questions or encounter any problems, please call the Loudon Town Office at 798-4541 during business hours or call a Trails Overseer during the evenings and weekends.

TRAIL REPORT FORM

Trail Report Form
LOUDON TRAILS COMMITTEE

Trail: _____ Date: _____

Performed by: _____

At the Trailhead (s):

Please fill the map boxes with maps. ☐

Are cars parked where they should be? ☐no ☐yesHow many are present? _____

Is there any vandalism apparent to map boxes, trees, or surroundings?

☐no ☐yes _____

Are the trail signs clearly visible at both ends of the trail? ☐yes ☐no _____

On the Trail:

Please pick up litter and move fallen limbs to the side. ☐ Please trim overgrown branches. ☐

Are the blazes clearly visible? ☐yes ☐no _____

How many people did you encounter? _____ What age groups?_____

What where they doing? (hiking, biking, skiing, jogging, picnicking, etc)_____

Do you see evidence of restricted uses of the trail? ☐no ☐yes _____

Are there sections of the trail that appear dangerous? ☐no ☐yes _____

Did you see any wild animals or interesting sights? ☐no ☐yes _____

Did you notice any erosion, washouts, or wet spots that were hard to cross? ☐no ☐yes _____

Is additional work required?

- large item removal (tree, appliance, boulder) ☐no ☐yes _____
- repair of vandalism ☐no ☐yes _____
- re-blazing of trees ☐no ☐yes _____

Other Comments:

CERTIFICATE OF VOLUNTEERISM

Certificate of Volunteerism

This is to certify that

_____

is appreciatively recognized on August 1, 2001 as
a volunteer steward

of the

_____

Trail

of the Town of Loudon, New Hampshire.

_____

, Conservation Commission Chair ***, Trails Committee Chair***

This Section

- γ Map 1 - Base Map
- γ Map 2 - Topographic Map
- γ Map 3 - Public Lands, Easements, and Rights-of-Way Map
- γ Map 4 - Existing Trail System Map
- γ Map 5 - Proposed Open Space Trail System Map